

# Child Welfare Legislative Oversight Panel

Thursday, October 18, 2007

1:30 p.m.

Room W020 • House Building

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**For further information, please contact Mark Andrews at 538-1032**

Prepared by the Office of Legislative Research and General Counsel





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**NOTICE OF MEETING**  
**CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL**

The committee chairs have scheduled the following meeting:

**DATE: Thursday, October 18, 2007**  
**TIME: 1:30 p.m.**  
**PLACE: Room W020 House Building**

If committee members would like to be excused from the meeting, they may call Mark Andrews or Wendy Bangerter at 538-1032.

**COMMITTEE MEMBERS**

Sen. Dan R. Eastman, Senate Chair  
Rep. Steven R. Mascaró, House Chair

Sen. Gene Davis

Rep. David Litvack

Rep. Paul Ray

**STAFF**

Mark D. Andrews  
Policy Analyst

Thomas R. Vaughn  
Associate General  
Counsel

Wendy L. Bangerter  
Legislative Secretary

*Prepared October 11, 2007*

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call Cassandra Bauman at 801-538-1032 or TTY 326-1634, giving her at least three working days notice.



# CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL

## UTAH LEGISLATURE

Thursday, October 18, 2007 • 1:30 p.m. • Room W020 House Building

Background materials are available at

<http://www.leg.utah.gov/asp/interim/Commit.asp?Year=2007&Com=SPECWL>

Approximate  
Time Frame

- 1:30**    **1. Committee Business**
- Call to order
  - Approval of the minutes of the June 19, 2007 meeting
- 1:35**    **2. Division of Child and Family Services Reports**
- Overview of compliance with *David C.* exit agreement
  - *David C.* exit agreement reports
    - Case process review
    - Qualitative case reviews
    - Quarterly report
    - Safety and well being of Utah's children
    - Child fatality review annual report
    - Caseload data
    - Workload study
    - Child and Family Services Review data, including PIP
    - Director's annual report
    - Identification of financial needs and adequacy of resources
  - Other reports
    - Governor's Child and Family Cabinet Council
    - Foster child placement
    - Kin care
- 2:15**    **3. Draft Legislation**
- "Waivers of Immunity - Exceptions," by Representative Gregory H. Hughes
  - "Child Abuse and Neglect Registry - Management and Licensing Information Systems Amendments," by Senator Gene Davis
  - "Training of Division of Child and Family Services Caseworkers," by Senator Gene Davis
- 3:15**    **4. Other Reports**
- Office of the Guardian ad Litem
  - Judicial Council Guardian ad Litem Oversight Committee
  - Office of the Child Protection Ombudsman
  - Foster Care Citizen Review Board Steering Committee
  - Office of Child Welfare Parental Defense
  - Judicial Time Limits Report
    - Administrative Office of the Courts
    - Office of the Attorney General
- 3:30**    **5. Adjourn**



**MINUTES OF THE  
CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL**  
Tuesday, June 19, 2007 – 2:00 p.m. – Room W020 House Building

**Members Present:**

Sen. Dan R. Eastman, Senate Chair  
Rep. Steven R. Mascaro, House Chair  
Sen. Gene Davis  
Rep. David Litvack  
Rep. Paul Ray

**Staff Present:**

Mr. Mark D. Andrews, Policy Analyst  
Mr. Thomas R. Vaughn, Associate General Counsel  
Ms. Joy L. Miller, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Eastman called the meeting to order at 2:05 pm.

**MOTION:** Rep. Litvack moved to approve the minutes of the October 19, 2006 meeting. The motion passed unanimously.

**2. Status of Federal Court Oversight**

Mr. Craig Barlow and Ms. Susan Eisenman, Office of the Attorney General, briefed the Panel on the proposed agreement for existing federal court oversight which is to be considered at a hearing before Judge Tena Campbell on June 28. Mr. Barlow indicated that no written objections to the settlement were filed. He noted that the Milestone Plan has been replaced with very specific mathematical exit criteria in the scoring done in the case process review and qualitative case review evaluations and with basic commitments to continue excellent casework practice, management, and transparency.

Ms. Eisenman reviewed the provisions of the settlement agreement. She said on June 28 they will be jointly moving the court to dismiss the case without prejudice for a period of one year. In July 2008, the DCFS (Division of Child and Family Services) will be evaluated to determine if it is complying with the provisions of the agreement. On December 31, 2008, if there are no pending motions or orders concerning implementation of the agreement, the case will be dismissed with prejudice and no further court supervision will be required. Ms. Eisenman explained that DCFS is committed to making sure caseloads remain at a managing level to provide quality services to consumers and clients. It is also committed to ensure sufficient resources, keep budget information current, and keep its workforce intact.

The Panel discussed the hiring of 55 new caseworkers and the legal requirement to maintain a minimum number of caseworkers.

**3. Management Information System**

Sen. Davis expressed his concern regarding the MIS (Management Information System) and the possibility that it is being manipulated in custodial or noncustodial rights.

Mr. Vaughn reviewed "Management and Licensing Information Systems - an Overview" which was included in the mailing packet. He stated the MIS (Management Information System) is a system containing reports made to DCFS. The MIS is maintained by DCFS and may only be accessed by statutorily authorized people. It is used for child protection purposes, including licensing foster parents. The LIS (Licensing Information System) is a system within the MIS that is accessed for purposes of

licensing individuals who have physical access to vulnerable populations for employment or volunteer positions. Mr. Vaughn explained that if DCFS makes a supported finding, notice is sent to the person alleged to have committed the neglect. The accused has one year in which to appeal the allegation of abuse. The appeal can be made to DCFS for an administrative hearing or directly to court. If the appeal is made to DCFS with an unfavorable result, it can be appealed to the court. If DCFS makes a finding of unsupported or without merit, the person is not notified that their information is on the MIS system.

Mr. Duane Betournay, DCFS, stated that an unsupported finding would not be used as a reason to deny a licence to a foster parent or adoptive parent. If someone has an unsupported finding, they can ask for an administrative hearing to have it changed to without merit or petition the court to have their record expunged. An unsupported finding carries no prohibition against a property right. If a person has a supported finding on the MIS, unless it is of a severe or chronic type, it would not appear on the LIS.

Mr. Mark May, Assistant Attorney General, explained that if a person appeals to the juvenile court and after the ruling it goes to the court of appeals, it becomes a public record. He noted that initials rather than the name of the child are usually used. He stated he was not certain whether the petitioner's name would be made public. He indicated he would email that information to the Panel.

Ms. Katie Gregory, Assistant Juvenile Court Administrator, said when juvenile courts were opened to the public, the proceedings themselves were opened, however, the records are protected. A motion can be filed requesting permission to see the records. She said she would try to determine whether or not the cases in question would be governed by the same set of rules that would govern a child welfare case that would come before the court.

Mr. Vaughn stated there is a fairness issue and the need to protect children. He indicated that the Panel may want to consider requiring better guidelines and communications between DCFS and the courts.

Members of the Panel discussed the problems that have been caused because individuals have had their names placed on the MIS even when there has been an unsupported or without merit finding.

Chair Eastman indicated that discussion of the issue would be continued in a future meeting.

Mr. Betournay briefly commented on the settlement agreement to the lawsuit. He said the creation of the systemic change to the child welfare system, transparency, and legislative investment has helped reach the agreement. DCFS is ready for the challenges of the next year and a half. He asked that the Legislature continue to support the system and to resist the efforts of a few to make wholesale changes to the system.

#### **4. Other business**

The next meeting of the Panel was scheduled for September 20 at 2:00 p.m.

#### **5. Adjourn**

**MOTION:** Sen. Davis moved to adjourn. The motion passed unanimously.

Chair Eastman adjourned the meeting at 3:30 p.m.

**DEPARTMENT OF HUMAN  
SERVICES**

**FATALITY REVIEW REPORT**

**FY 2007**

**Compiled by  
Department of Human Services  
Office of Services Review  
August 1, 2007**

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# DEPARTMENT OF HUMAN SERVICES FATALITY REVIEW ANNUAL REPORT

JULY 1, 2006 – JUNE 30, 2007

## EXECUTIVE SUMMARY

Department of Human Services (DHS) Fatality Review Policy requires a review of the deaths of all individuals for whom there is an open case at the time of death or in cases where the individual or their families have received services through DHS within twelve months preceding the death. Information obtained from case reviews provides insight into systemic strengths and highlights areas in which changes or modifications could enhance systemic response to client needs.

During FY 2007, one hundred thirty-four deaths of current or past DHS clients were reported to the Office of Services Review (OSR). There were four suicide deaths (3%) and six homicides (4.5%). The reviews indicate that abuse and/or neglect were contributing factors in ten (7%) of the one hundred thirty-four deaths. Eight children, 16% of fatalities reported by the Division of Child and Family Services (DCFS) died as the direct result of abuse or neglect by their parents/caretakers. The deaths of two individuals (3%) receiving services through the Division of Services to People with Disabilities (DSPD) are attributed to abuse or to failure on the part of the caregiver to follow safe practice procedures.

Of the fifty fatalities reported by DCFS, forty-three reviews were held (86%) with seven reviews pending. Sixty-one DSPD fatalities were reviewed (100%), and three of the four Division of Juvenile Justice Systems (DJJS) fatalities were reviewed (75%) with one review pending. Utah State Developmental Center (USDC) conducted one on-site review (33%) with two reviews pending, and Utah State Hospital (USH) conducted four on-site reviews (100%). Three reported deaths from the Division of Aging and Adult Services (DAAS) met Department criteria for review, and three cases (100%) were reviewed. The Office of the Public Guardian (OPG) reported the deaths of thirteen individuals for whom they had provided services. Four of these individuals were also receiving services through DSPD or USDC at the time of their deaths. OPG provided comprehensive written reports covering services to all thirteen (100%) of its clients.

There were seventy-six (57%) reported deaths of male clients and fifty-eight (43%) reported deaths of female clients. Reported deaths included twenty-seven infants (20%) under the age of one year; thirty-eight (28%) clients between the ages of one to eighteen years; thirty-five (26%) clients between the ages of nineteen to fifty years; and thirty-four (25%) clients between the ages of fifty-one to ninety-nine years.



## **BACKGROUND and METHODOLOGY**

In November 1999, the Office of Services Review (OSR) assumed responsibility for reviewing all DHS client fatalities. OSR recognizes the fatality review process as an opportunity to acknowledge good case management, to identify systemic weaknesses, to propose training for Division staff in performance problem areas, to involve Division staff on a local level in the review process, and to make cogent recommendations for systemic improvements.

The fatality review committees consist of a Board member of the Division under review, the Attorney General or designee for the Division, a member of management staff (supervisory level or above) from the designated Division and from a region other than that in which the fatality occurred, and in the case of a child fatality, the Director of the Office of the Guardian ad Litem or designee, a member of the Child Welfare Legislative Oversight Committee, and any individual whose expertise or knowledge could significantly contribute to the review process. Currently, the Child Fatality Review Committee is greatly strengthened by the membership of a pediatrician who is also a member of the DCFS Board, the DCFS State Training Coordinator, and a representative from the Division of Substance Abuse and Mental Health. Committee members have knowledge of DCFS Practice Guidelines and provide valuable insight into best-practice issues.

During the past year, the DCFS State Training Coordinator has joined the Child Fatality Review Committee. As the Committee identifies and discusses issues related to problems in practice, the Training Coordinator notes areas in the training curriculum that are in need of development or strengthening and, in conjunction with the training team, develops training to meet the identified need(s).

A representative from the Division of Substance Abuse and Mental Health also joined the Committee during FY 2007. He provides valuable insight into mental health and substance abuse issues and contributes information pertaining to substance abuse and mental health treatment resources.

The DSPD Fatality Review Committee utilizes the knowledge and expertise of two regional DSPD Registered Nurses who have on-going personal contact with many of the DSPD clients and who, in many cases, have first-hand knowledge of a decedent's medical history. Their medical knowledge and insight into health and safety issues is of great value to the non-medical committee members.

The Child Fatality Review Coordinator receives notification of client deaths through several channels, e.g., Deceased Client Reports, Certificates of Death, the State Medical Examiner, obituaries, emails, etc. In the case of child fatalities, the Coordinator receives Certificates of Death for every child who dies in the State of Utah. After researching the child welfare database, SAFE, to determine if the family has had services within twelve months of the fatality, the Coordinator requests and reviews the case file, summarizes the family's history of involvement, and makes an analysis pertaining to case practice and agency culpability.

Prior to the monthly DSPD and Child Fatality Review committee meetings, members are furnished with copies of fatality review reports, which they study while noting areas for discussion. When deemed appropriate, the Committees invite Division staff and/or contract providers to committee meetings to provide additional information. The fatality review reports, complete with committee concerns and/or recommendations, are then sent to the DHS Executive Director, the Director of the Division, and the Director of the region in which the fatality

occurred. The Region has fifteen days in which to formulate a reply and, if necessary, a plan of action for carrying out the committee's recommendations. Due to the low number of fatalities in the Division of Juvenile Justice Systems, that committee meets on an as-needed basis.

As the result of an appeal to the Utah State Records Committee during FY 2007, DHS fatality review reports were reclassified from Protected/Protected to Private/Protected. The Records Committee determined that the content of the fatality report, i.e., the summary of services to the individual and/or his/her family should be classified as "Private". The Fatality Review Committees' analyses of concerns regarding practice and Committee recommendations to the Divisions remain classified as "Protected". Applicants must meet GRAMA criteria for these classifications in order to receive copies of fatality reports. In response to the reclassification of fatality review reports, the fatality review report's Executive Summary, which is available for public release, was redesigned to meet GRAMA criteria.

The DHS Fatality Review Coordinator represents the Department as a member of the State Child Fatality Review Committee, which is coordinated by the Department of Health's Violence and Injury Prevention Program (DOH/VIPP). The Child Fatality Review is a collaborative process including professionals from Primary Children's Medical Center's Safe and Healthy Families Team, the Birth Defects Network, the Office of the Medical Examiner, Emergency Medical Technician Services, law enforcement, the Office of the Attorney General, the Office of the Guardian ad Litem, the Children's Justice Division, the State Office of Education, the Department of Human Services, Valley Mental Health, the PCMC Child Advocacy Team, the Shaken Baby Foundation, and the Division of Child and Family Services.

The State Child Fatality Review Committee meets with the Utah State Medical Examiners on an as-needed basis to review the deaths of children whose deaths occur under violent, suspicious, unattended, or unknown circumstances and for children who have committed suicide. Committee members pool information regarding prior services to and/or involvement with the decedent/decedent's family, identify causes of preventable deaths, make Child Protective Services referrals, make recommendations for follow-up services when appropriate, identify interventions that could prevent future deaths, and provide information to law enforcement during child homicide investigations.

The State Child Fatality Review Committee has been instrumental in creating a Suicide Task Force, in partnering to complete a six-phase Youth Suicide Study, in working toward more comprehensive child restraint and seat belt legislation, and in developing news releases, public service announcements, and media events to address the most common injuries among Utah's children.

## FINDINGS

As stated in the Department of Human Services Fatality Review Policy, "The purpose for reviewing a client death is to develop ways to prevent future client deaths and to improve Department services. The review itself evaluates the system's response to protecting vulnerable clients by assessing whether "best practice" was followed in the case. The Fatality Review Committee recommends modifications of procedures, policy, law, and training when necessary."

During FY 2007, the DHS Fatality Review Committees received reports of the death of one hundred thirty-four individuals who had received services through the Department within twelve months of their deaths. The Committees determined that in 132 cases (98.5%), services provided to the clients and/or their families did not contribute to the clients' deaths. In one DCFS fatality and in one DSPD fatality the client's death can be linked to failure on the part of workers or contract providers to follow best practice procedures.

Best practice would dictate that a child suffering from suspected physical abuse be transported for medical examination by law enforcement or medical personnel. Or, if the parent is allowed to transport the child, the Child Protective Services worker would follow the parent to ensure that the child is taken to the medical facility. A two-year-old male died as the result of blunt force trauma to his abdomen and of "chronic child abuse" inflicted by his father. During the CPS investigation, DCFS gave permission for the father/suspected perpetrator to transport the toddler to a near-by hospital for a medical examination. Instead of complying, the father fled the state with his family, and the toddler died en route. The father eventually pleaded guilty to one count of second-degree felony child abuse homicide and was sentenced to fifteen years in prison. The boy's siblings were taken into protective custody.

Best practice would dictate that contract provider staff secure all prescription medications immediately upon bringing them into a residence. A twenty-eight-year-old woman died from drug intoxication after taking the prescription medications intended for all of the residents of the group home in which the woman lived. After picking up multiple prescription medications from a pharmacy, staff placed the pills in an unlocked storage room until she made time to fill each individual's medication cassette. The decedent found the medications and ingested them all. The decedent had a history of suicide ideation and of engaging in self-injurious behaviors.

Of the fifty reported child fatalities eight deaths (16%) were attributed to abuse or neglect by a parent or caretaker. Of the sixty-one individuals who died while receiving services through DSPD and its contract providers, two deaths (3%) were related to abuse or negligence on the part of others.

The DHS Fatality Review Committee members identified numerous strengths in service-delivery systems that included noticeable improvement in child welfare's involvement of families in service planning; more aggressive seeking of appropriate kinship placements; and on the part of DSPD Support Coordinators, increased attention to the Health and Safety issues of their clients. Committee members also singled out several areas in which changes or modifications could enhance systemic response to the needs of Department clients that included better assessments of parents' and children's underlying needs, better matching of level of services to level of risk of harm, and better monitoring of contract providers. The reviewers also recognized several examples of outstanding case management conducted by Human Services staff.

## DIVISION OF CHILD AND FAMILY SERVICES

### SYSTEMIC STRENGTHS

In the majority of cases reviewed the quality of work conducted in Child Protective Services investigations and in providing on-going services to families continues to improve over casework conducted prior to the advent of the Practice Model. In the majority of cases reviewed workers saw the child within priority timeframes, conducted appropriate interviews, collaborated with law enforcement when necessary, worked with service providers to meet the needs of their clients, and if removal was necessary, were aggressive in seeking appropriate kinship or foster placements. With the advent of the Practice Model, caseworkers are conducting Child and Family Team Meetings and are working more closely with clients in an attempt to identify client needs and to plan appropriate services.

Committee members commended an on-call and an on-going CPS investigator for their excellent casework. These workers obtained appropriate assessments to determine the medical needs of the child, contacted the biological father who was living overseas and inform him of the CPS investigation, used valid case-investigation extensions to follow up on concerning issues and to monitor the parent's compliance, corroborated information provided by alleged perpetrators, staffed the case with supervisors and with the AAG to determine the appropriateness of filing court petitions, conducted kinship studies, and placed the children with appropriate relatives. These workers also provided the parents with excellent education on safe-sleeping practices and on maintaining a safe-sleep environment for their baby.

When a mother tested positive for methamphetamine use following the birth of her baby, the CPS worker acted quickly to insure the safety of a sibling by recommending that the court order Protective Supervision Services. While receiving PSS services, the mother again tested positive for drug use. The worker immediately took the child into protective custody and placed her with family members who had already been identified as an appropriate kinship placement. The relatives completed the requirements for licensure, and the worker assisted the mother in accessing an intensive, in-patient substance abuse treatment program. Concurrent permanency planning and a smooth, well-planned placement transition contributed to the child's well-being.

The parents of a baby born with severe birth defects recognized their limitations in caring for the baby and expressed that they did not want the baby's impending death to have an adverse affect on an older sibling. Rather than charging the parents with abandonment, the Division made a reasonable decision to support on an allegation of Dependency. The parents were given the opportunity to remain involved in making important decisions regarding the care and treatment of the baby. The permanency worker and the Hospice worker clarified the parents' wishes regarding the Do Not Resuscitate Order, provided emotional support for the foster parent, and assisted the parents in making the baby's funeral arrangements.

CPS and Permanency workers provided excellent services to parents after the birth of their daughter and did an outstanding job of assessing the family's ability to care for a medically fragile infant. The permanency worker coordinated services with the hospitals, Early Intervention, and the agency conducting the parents' mental health and parenting assessments. She kept the family informed of developments in the baby's treatment and explained to them options for her long-term care. The worker expressed concerns to the

hospital, the DCFS RN, the AAG, and the GAL about the quality of care the baby was receiving in the hospital's long-term care unit and explored options for better care.

### **SYSTEMIC WEAKNESSES**

It should be noted that there were fifty DCFS fatalities reported in FY 2007, a number that is statistically insignificant when compared with the total number of DCFS cases open for services during that same time period. The systemic weaknesses and deviations from "best practice" casework identified by the Child Fatality Review Committee cannot be generalized to the child welfare system as a whole. However, several systemic problems have been noted in multiple cases. In the fifty reported DCFS client fatalities, the following issues raised the greatest concern among committee members. It is recommended that during FY 2008, DCFS concentrate on improving case practice in these areas.

#### ***Corroboration of Information***

Child Protective Services Practice Guideline 203.1.D.1 states "Unless impossible or inappropriate, third party/collateral contacts having had direct association with the child/youth or who are otherwise knowledgeable about the case shall be interviewed." A systemic weakness identified at least eight of the thirty-nine cases reviewed (20.5%) by the Child Fatality Review Committee during FY 2007 was the seeming failure of some workers to interview third party/collateral contacts or to corroborate information given by parents and/or alleged perpetrators regarding their compliance in obtaining and participating in services. Although deviation from best practice did not directly result in the death of a child, it could have been a contributing factor in one case.

A family was the subject of four CPS referrals alleging non-supervision and physical neglect. One report was made by two school personnel and a DCFS staff member. However, the CPS worker did not interview any of the seemingly credible referents. The worker did not interview the children's uncle who reportedly was checking on the children each evening. The worker made only a cursory attempt to talk with the referent or to enlist her aid in setting up a meeting with the mother. The worker closed the case without ever meeting the mother and without ever entering the home to assess the children's safety and well-being. A child in the family died due to a non-supervision issue.

The worker in a voluntary in-home case conducted a thorough assessment of a mother's needs and of the mother's plans to access services. However, the worker did not contact providers at the Department of Workforce Services, Vocational Rehabilitation, the drug-testing agency, or the mental health agency to corroborate the mother's reports that she was following through with obtaining these services.

In a CPS investigation involving children with head lice the parents, who were separated, gave diametrically opposed statements about the whereabouts of one of the children during the period when she may have contracted lice. The father maintained that he had been out of state and that he had telephone records to prove that he had not had the child in his physical custody during that time. However, the worker did not ask to see the records to corroborate his statements.

#### ***Follow-through in Providing Services***

In at least eight out of thirty-nine cases reviewed (20.5%) individuals or third-party collateral contacts furnished information to the caseworker indicating that the families were in need of services not directly related to the stated allegation. However, the workers did not address these

needs and did not offer services to the families. Cases were closed with inadequate or no services having been offered. In other cases the allegations of abuse and/or neglect were supported based on evidence gathered during the CPS investigation. However, the cases were closed with no services having been offered or provided to the family.

A mother with a history of drug abuse and physically abusive relationships expressed interest in meeting with a DCFS Domestic Violence specialist. The CPS worker indicated that the DV specialist would contact the woman, but there was no documentation that the worker followed through with providing this service. The CPS case was kept open for five months with no follow-through on promised services.

A four-month-old infant died after suffering non-accidental injuries. Although the infant's mother was the prime suspect in law enforcement's criminal investigation, the infant's siblings, 2 and 4 years old, were left in the home. Before closing her case the CPS worker arranged for the family to receive a Family Preservation assessment. However, the assessment was never conducted, and the family was not referred for any type of service. For three months after the infant's death no services were provided to the family. DCFS did not monitor the safety and well-being of the siblings and did not coordinate its investigation with law enforcement.

CPS workers conducted excellent investigations into the reported abuse/neglect of a sibling group and provided services for the children after they were placed in the maternal grandmother's custody. The children's parents indicated several times that they would like help in improving their parenting and money management skills. After Child and Family Team members recommended that the parents could benefit from a parent advocate, the CPS worker made a referral for this service. However, there is no indication that the service was ever put in place, and there was no follow-up to ensure that the couple was accessing these services. Reunification efforts were missing in this case, as little was done on the part of the Division to help the parents gain skills necessary for them to provide a safe and appropriate home for their children.

#### ***Assessing Underlying Needs/ Level of Risk vs. Level of Services***

In some cases workers followed all the practice guideline steps yet missed the mark as far as identifying the important underlying factors in the case and the underlying needs of the family members. Lack of a thorough assessment handicaps the worker's ability to provide appropriate services and can prolong a family's involvement with the Division when factors contributing to abusive and neglectful behaviors are not identified and addressed.

Some CPS investigations with supported allegations of abuse and/or neglect were closed with no services having been offered or provided to the family. In at least twelve of the thirty-nine cases reviewed (31%) the Committee noted that workers failed to make accurate and in-depth assessments of underlying needs, and by extension, failed to offer families/individuals an appropriate level of services. In cases involving medically fragile children or children with disabilities, the level of risk is higher and therefore, warrant a higher level of services.

The mother of a child with multiple disabilities and with a history of drug abuse was receiving voluntary in-home services. She refused to drug test, falsified information given to the In-home worker, exhibited signs of possible depression, and admitted to the presence of drug paraphernalia in her bedroom. The young woman appeared to be in need of mental health treatment and/or medication management to address probable depression. There is the possibility that she was also in need of substance abuse

treatment. Rather than staffing the case for a PSS petition, the worker closed the case due to the mother's lack of cooperation, thus leaving the mother without support, oversight, or monitoring of her efforts to obtain help for her substance abuse issues and depression or assistance in finding employment or in securing appropriate housing.

A mother with a history of non-supervision and physical neglect worked long hours, leaving her children, one of whom was a developmentally-delayed eight-year-old, home alone in the care of their ten-year-old sister. Law enforcement, as well as CPS, had reported that the family lived in filth, without adequate power, heat, bedding, or clothing. Because the mother was difficult to contact, the most recent CPS investigation had been closed as "unable to complete" without the worker's having been inside the home to assess the validity of the report that the family was without heat during the middle of winter. No assessment of the children's health and safety needs was conducted, and no services were provided for the children. The mother's reported suicide threats and attempts were not addressed. The developmentally delayed child died several months later after choking on a small object while in the care of his sister.

### ***Intake/Concerns***

Child Protective Services Practice Guideline 201.4 states, "The CPS Intake process shall be completed by or staffed with a licensed social worker, with the exception of 'information only' contacts." Child Protective Services Practice Guideline 201.4.C states, "When there is an open CPS case and additional information is received, it is 'attached' to the open CPS case in the computer. The CPS caseworker is required to investigate any additional allegation that was not included with the initial case."

In at least nine of the thirty-nine cases reviewed (23%) the Committee noted concerns pertaining to reports of suspected abuse/neglect that appear to meet Practice Guidelines for acceptance but were unaccepted for investigation; of Intake or the CPS workers' having received additional information during CPS investigations which was not added to the CANR; of additional allegations of abuse/neglect having been made during an already-open CPS case but not having been added to the CANR or opened for investigation; and of additional information received by Intake not having been passed on to the CPS worker.

A grandmother reported two incidents in which her young grandson had been observed inappropriately touching his cousin. Grandmother expressed concern about the environment in which her grandson might have learned these behaviors, as his actions were highly suggestive of his having been exposed to inappropriate sexual conduct. The Intake worker suggested that the grandmother find a way to get the boy into therapy and suggested some non-leading ways for the grandmother to question him. However, the reports were unaccepted for investigation, and the boy received no services. Two years later there was another report of inappropriate sexual conduct between the boy and his cousin, and the boy was supported as the victim of sexual abuse by an unknown perpetrator.

A grandmother made a CPS report concerning domestic violence between her son and his wife, safety issues pertaining to where the mother and children were going to stay, and possible medical issues pertaining to a medically fragile child. However, the report was unaccepted for investigation. The reason documented for not accepting the report had no relationship to the stated allegations.

In two different cases reports of domestic violence related child abuse were not accepted for investigation even though the alleged perpetrators were arrested and were charged with domestic violence criminal mischief and domestic violence in the presence of a child. Intake's reason for not accepting one of the reports was that the incident was minor and that the family did not have a history of domestic violence.

During one CPS investigation, DCFS received at least four "additional information" calls. Although the CPS worker alluded to the information in her activity logs, no official reports were entered in SAFE as "additional information" or were opened as new CPS referrals.

Within a two-week period Intake received two reports of the suspected physical abuse of a two-year-old toddler by his father. The reports, from a social worker intern and from the child's mother, were unaccepted for investigation. Although the reports of alleged abuse, e.g., the father's being verbally abusive to the boy, of his making the child stand or sit on the toilet for hours at a time, of his having "flicked" the child on the arm on a regular basis, and of his having only recently learned that he was the boy's father, would have warranted a visual assessment of the child's well being, the Intake worker seems to have treated the CPS reports as a child custody/visitation issue and advised the mother to seek legal advice. Several months later the child died of injuries inflicted by his father.

## **DIVISION RESPONSES TO RECOMMENDATIONS**

Regions have the opportunity to disagree with Committee recommendations and to explain their rationale for practice decisions. Regions are asked to submit an action plan to the Committee outlining the way they will implement Committee recommendations.

The DCFS Constituent Services Specialist tracks Child Fatality Review recommendations and ensures that regions are responding to the Committee. At the close of Fiscal Year 2007 regional responses to Child Fatality Review Committee concerns and/or recommendations were pending in only two cases. The Child Fatality Review Committee commends DCFS for the thoughtful and thorough responses the Regions and the Administrative Team have provided to the Committee's concerns and recommendations.

In response to the Committee's recommendation that based on a family's history of Domestic Violence related child abuse the case be staffed to determine the appropriateness of filing a PSS petition, the State Constituent Services Specialist replied that she staffed the case with the State DV Specialist and requested that the Salt Lake Valley Region staff the case to re-examine the safety of the children remaining in the home. The State DV Specialist agreed to work with the region and to follow up on the Fatality Review Committee's concerns. The Region responded,

"A staffing was held. In the staffing with the AAG's office it was determined that there was not enough evidence to get a PSS petition. However, the mother has since moved into the YWCA. A worker is providing CIS (Counseling Individual Services) to support the family."

In response to Committee concerns regarding the role of Family Advocates in CPS investigations, Northern Region submitted a proposal to the State Office outlining the Region's plan for containing "most of the complaints and concerns within the region" originating from Family Advocates. The plan included monthly meetings with the Advocates to establish a relationship and provide a forum in which issues and concerns could be discussed that were not in need of

immediate attention and addressed additional training for supervisors and staff on improving teaming and coordination skills and on increasing their knowledge of DCFS Practice Guidelines.

The addition of the DCFS State Training Coordinator to the Child Fatality Review Committee has provided a conduit through which the Committee's practice concerns are translated into improved training curricula and, hopefully, improved practice. Child Fatality Review Committee members recognize that the Division receives recommendations for practice improvement from many different sources. However, it is highly gratifying to see concrete steps being taken to address some of the committee's long-standing concerns. During FY 2007, the following action has been developed or is in the process of being developed by the State Training Team:

- A web training site is in the process of being developed that will include already-developed information on safe sleeping practices for infants. Additional information pertaining to child vulnerability or to issues that might impact a child's safety will be added to the website as needs are identified.
- Safety information for parents that mirrors information for caseworkers will be made available on the DCFS website.
- Training on Safety Model concepts will be available in the fall of 2007. The model emphasizes the assessment of a child's safety as being central to Intake and CPS workers' decision making and vital in visiting and reunification decisions made by on-going workers. The training will provide language for caseworkers to use in talking about safety, additional information on assessing for safety, and an emphasis on making continual assessments for safety throughout the life of a case.
- Handbooks are being developed that cover tasks related to Intake and CPS. The first handbooks will be for supervisors, Transition to Adult Living, Intake, Purposeful Visiting, and Child Protective Services. The Purposeful Visiting handbook will address the need for the worker to make a safety assessment at every home visit. Each handbook will address all tasks required in a specific service area that facilitate a worker's implementing best practice methods and meeting practice guideline requirements.
- The gap in CPS training provision is being addressed currently with a module on Child Interviewing that is based on recent research. A CPS and Intake training that uses the Safety Model and that covers all aspects of practice in the program area is also planned.
- The Practice Model Assessing module is being revised to include specific information on maltreatment and safety and how workers would assess these factors.
- Secondary Traumatic Stress training is being constructed to assist caseworkers in addressing the trauma that they experience in their work with victims of abuse and neglect.
- A fatality review section will be added to the New Employee training curriculum to provide perspective on this process for new caseworkers.

# **DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES**

## **COMMUNITY PLACEMENTS**

### **SYSTEMIC STRENGTHS**

DSPD Support Coordinators act as advocates for individuals who are receiving services through the Division and through its contract providers. They verify and provide appropriate documentation necessary for ensuring an individual's eligibility for waived services, provide crisis intervention when necessary, monitor the delivery and appropriateness of contracted services, review monthly provider reports, and assess an individual's well-being through in-person visits in the home or at the day support site. The DSPD Fatality Review Committee recognized the excellent work of several Support Coordinators and recommended that they be commended for their outstanding work.

Staff from several contract providers were recognized by the Committee for their excellence in caring for individuals and for their exceptional efforts to provide comfort to individuals suffering from terminal medical conditions. Staff from United Cerebral Palsy, Danville Services, Futures through Choices, Frontline Services, TURN Community Services, and Chrysalis were commended for their outstanding work.

The DSPD RN's provide an excellent resource for Support Coordinators in dealing with the health and safety issues of individuals in service. Many of the individuals receiving services through DSPD and its contract providers are diagnosed with numerous medical and/or behavioral problems for which they receive treatment and prescription medication. Individuals who are immobile are subject to skin breakdown that can lead to serious, and even life-threatening, wounds. RN's visit with individuals in their homes, in hospitals, and in care centers to make assessments of their medical condition and to monitor their progress and the quality of care they are receiving. The RN's have knowledge of prescription medications, their uses and possible side effects and can monitor the effectiveness and/or appropriateness of these medications. In some instances the RN's act as a liaison between medical professionals and providers, family, and DSPD, and they participate with hospital personnel in discharge planning.

Recently, Southern Region acquired a second RN to provide coverage for individuals from south of the Wasatch Front to the southern-most areas of the state. Service to Support Coordinators and individuals has been enhanced by having an RN located in that geographical area. The Committee recognizes the excellent work of the DSPD RN's in all regions.

A terminally-ill woman who was receiving Community Living Support services through United Cerebral Palsy (UPC) was provided the opportunity to die with dignity at home. Staff provided excellent care in facilitating the healing and prevention of wounds incurred from skin breakdown. They coordinated services with Hospice, provided an opportunity for Hospice staff to instruct UPC group home staff and the group home residents on what to expect during the woman's dying process, and honored the woman's request to return home to die in familiar surroundings in the company of family and friends.

An individual and his roommate were living in a Supported Living apartment provided by Danville Services. While the man's roommate was hospitalized and in rehab, Danville Services staff stopped in often to spend time with the individual at times other than their three contracted visits per week. The Residential Manager telephoned the

individual each day to determine that he had arrived home safely from his day program and to insure that the man was eating dinner.

Frontline's behavior specialist wrote a behavior protocol specifically designed for the work environment of a woman who was demonstrating many behavioral issues at her work site and provided training on the protocol to day support staff. This plan, when followed correctly, worked well in decreasing the incidence of the woman's maladaptive behaviors.

During the months of a woman's hospitalization, rehabilitation, and subsequent hospital admissions, Danville Services staff were actively involved in monitoring her progress and in planning to meet her needs at time of discharge. Danville made arrangements to move the woman into a wheelchair-accessible apartment. The Office of the Public Guardian assisted the woman's family in having a family member appointed as her legal guardian. Danville and the OPG worked closely with hospital and skilled nursing facility staff to monitor the woman's medical situation, and they kept her family fully informed of her needs. After the woman's discharge to the rehabilitation facility Danville staff continued to visit her, assist with her feedings, and provide emotional support.

Chrysalis staff provided excellent care to a man and his family during the man's illness. Staff visited the home and provided respite for the primary caretaker. Their service allowed the man to remain in his mother's home during the final weeks of his life.

The Committee commended a Support Coordinator for the positive relationship that he developed with a young Native American man and for the feelings of trust that he engendered in the youth. The Support Coordinator, who speaks the Navajo language and is familiar with Navajo culture, was well matched for working with the young man and his family.

#### **SYSTEMIC WEAKNESSES**

Although the DSPD Fatality Review Committee noted some concerns related to the delivery of provider services, there were no obvious systemic-weakness trends in the DSPD cases reviewed during FY 2007. The level of care for individuals appears to have been appropriate and provided as contracted. Individuals were provided with multiple services, excellent medical, dental, and mental health care, and opportunities to participate in meaningful work and community and social activities. Provider staff worked with several individuals in planning and shopping for nutritious meals and in encouraging them to exercise in order to reach or maintain a healthy weight. Nine children and two adults were able to be cared for in their homes by family with the help of respite services. However, in several of those cases the individuals had been on the waiting list for services for several years and had become eligible for services shortly before their deaths.

#### ***Miscellaneous Concerns***

Some of the concerns noted by the Committee included the possible financial exploitation of an individual by his host home parents. The Bureau of Internal Review and Audit (BIRA) is currently investigating this matter. It was also noted that the provider had not submitted mandatory monthly reports to the Division.

A woman from Northern Region who fractured her knee was hospitalized at the University of Utah Medical Center in Salt Lake City and was scheduled for knee surgery. The Futures through Choices Program Coordinator provided hospital staff with extensive information about the woman's medical history, and he or another staff member made daily trips to the hospital to

monitor her progress. The Program Coordinator informed the hospital that the woman would be returning to the group home unless she required a higher level of care than staff was able to provide. In that case she would be released to a skilled nursing facility in Brigham City. In response to the Program Coordinator's telephone call, hospital staff reported that the woman had done well in surgery. Later that day FTC staff reported that the surgery had been postponed for several days. When the Program Coordinator arrived at the hospital to transport the woman to Brigham City, he found that she had been released to an unidentified individual. The man was eventually identified as staff from the Brigham City nursing home, and the woman had been transported and admitted to that facility without the knowledge of DSPD or of Futures through Choices. The Northern Region RN reported that she had not been informed that the individual had been hospitalized. Otherwise, she could have coordinated discharge planning with the hospital, thus preventing the individual's release to an unauthorized person. The Northern Region RN has provided support coordinators with a procedure for coordinating the discharge of an individual from a hospital.

A woman was admitted to the hospital for emergency surgery to repair a perforated stomach. After the woman's doctor indicated that he did not think she would survive, attempts were made to reach the woman's legal co-guardian but with no success. The parents (co-guardians) made the decision to remove life support, and the woman died shortly thereafter. It was unclear if provider staff had alternative telephone numbers for the guardian. The Committee questioned if there was a backup guardian who could make medical decisions in the event that the legal guardian could not be reached during a medical emergency. The provider indicated that the issue of establishing a backup protocol and a "calling tree" for all individuals in their services who have court-appointed guardianship would be addressed with the agency's management team.

#### ***Casework Documentation***

The problem most frequently noted by the Committee dealt with Support Coordinator Activity Log documentation. In five of the sixty-one cases (8%) the Committee noted deficiencies in the recording of caseworker activities. One worker "cut and paste" log entries from month to month with little or no change in the content. When the client's circumstances changed, these log entries provided false information. The Committee also recommended that the supervisor be reminded that it was his responsibility to review activity logs for accuracy and to train staff in activity documentation.

Another worker "cut and paste" the lengthy monthly provider reports into his logs. It was recommended that he include a brief summary rather than the entire report. Another worker failed to document medical orders and follow-up in her logs, which lead to the appearance of medical neglect on her part. The worker was trained on appropriate documentation of such orders.

Another Support Coordinator appeared to have violated DSPD and Medicaid policy by not recording a quarterly face-to-face visit with an individual. When questioned, the worker showed that he had recorded face-to-face visits with the family in brother's log but had failed to record them in this individual's record. The worker acknowledged the oversight.

#### ***Provider Negligence***

In one case ( 2 %) negligence on the part of a contract provider appears to have directly contributed to the death of an individual.

A twenty-eight-year-old woman died from drug intoxication after taking the prescription medications intended for all of the residents of the group home in which the woman

lived. After picking up multiple prescription medications from a pharmacy, staff placed the pills in an unlocked storage room until she made time to fill each individual's medication cassette. The decedent found the medications and ingested them all. The decedent had a history of suicide ideation and of engaging in self-injurious behaviors.

### ***Reporting of Fatalities***

During FY 2007, there was a breakdown in the Division's reporting of fatalities to the DHS Fatality Review Coordinator. At least one-third of the sixty-one fatalities were not forwarded to the Fatality Review Coordinator in a timely manner. The problem surfaced when DSPD administration compared their records with the fatality review database and discovered that a number of deceased individuals were not included in the database nor had their cases been reviewed. Because the DHS Fatality Review Coordinator receives the Deceased Client Reports from DSPD administration, it is imperative that these reports be forwarded as soon as they are received.

It is concerning that the Deceased Client Report for the case in Southern Region pertaining to the individual who died after taking the group home residents' prescription medications was never sent to the Fatality Review Coordinator. She was made aware of the death by the Region RN but was never notified by the region or by administration.

## **DIVISION RESPONSES TO RECOMMENDATIONS**

The DSPD Regional Directors are to be commended for their prompt and serious consideration of committee recommendations, for the action that they initiate to comply with recommendations, and for their formal written responses to the Fatality Review Committee. Two Committee recommendations were directed to DSPD administration, but there has been no response to either of the following recommendations.

It was recommended that DSPD administration make written communication with UTA asking them to train and/or remind FLEXTRAN drivers to communicate any concerns, health or behavioral, they have about those individuals to provider staff as the individual exits the bus.

It was also recommended that DSPD administration consider putting additional language in provider contracts requiring them to provide a detailed procedure for reaching an individual's legal guardian or a backup guardian in the event of a medical emergency.

## **UTAH STATE DEVELOPMENTAL CENTER**

The deaths of three individuals were reported by the Utah State Developmental Center. One individual died at the University of Utah Medical Center, Salt Lake City, Utah, of Chronic Subdural Hemorrhage due to Tuberos Sclerosis. A formal death review was held for this individual at USDC.

Failure to Thrive is listed as the cause of death for a second individual who was living at a care center in Salt Lake City, and a third individual died at USDC as the result of a Seizure Disorder. The fatality reviews for these individuals are pending.

## **DIVISION OF AGING AND ADULT SERVICES**

During FY 2007, there were three reported fatalities from the Division of Aging and Adult Services that met DHS fatality review criteria. Two individuals died of pneumonia, one at home and the other in a hospital, and the third individual died of exposure.

## **DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH**

### **UTAH STATE HOSPITAL**

During FY 2007, Utah State Hospital reported the deaths of four people who were currently receiving or who had received services within ninety days of their deaths. An individual who was receiving in-patient treatment at USH died of cancer. The individual suffered from a number of medical problems including a malignant neoplasm of the prostate, a neuroendocrine tumor in the large intestine, and an umbilical hernia. He received excellent medical care for these conditions while at USH including consultations with medical specialists. After deciding against treatment for the more recent diagnosis of the tumor in the large intestine, the individual was assigned a Hospice caseworker.

A second individual died of an Acute Myocardial Infarction at a care center in Salt Lake City, Utah. He had been hospitalized at USH for over a year before being discharged to the care center. The individual was diagnosed with, among other things, Dementia due to Medical Condition with Behavioral Disturbance. He received excellent psychiatric and medical care while a patient at USH.

A third individual died of Congestive Heart Failure at a care center in Heber, Utah. She had psychiatric diagnoses in addition to several medical diagnoses. While a patient at USH, the individual received quality treatment for psychiatric issues, as well as for medical issues.

The fourth individual died in an auto/pedestrian accident on an Interstate highway in Utah, and his death has been ruled a suicide. The man was referred to USH for treatment as not competent to proceed for criminal charges. After undergoing medication changes and adjustments the individual was eventually found competent, was placed on probation, and was released to the community. After discharge from USH the individual was referred for mental health services. Although he contacted mental health, he did not set an appointment before his death.

The Utah State Hospital Clinical Director and the Clinical Risk Manager conducted on-site Risk Management Fatality reviews for each case. Due to the reclassification of DHS Fatality Review reports as Private, which creates the possibility of HIPPA violations, USH no longer provides DHS with reports of its reviews.

## **DIVISION OF JUVENILE JUSTICE SYSTEMS**

The Committee received notification of the fatalities of four Division of Juvenile Justice Systems (DJJS) clients. The manner of death of one youth is listed as “undetermined” with the cause of death being drug poisoning. The youth, who was in JJS custody at the time of his death, was on a home placement. The manner of death of the second youth, who was in an Independent Living placement, is listed as an “accident” with the cause of death being drowning. The third youth’s death was certified a suicide with the cause of death being a gunshot wound. The youth had recently begun a home placement. A fourth youth died of a staph infection while participating in a wilderness program.

### **SYSTEMIC STRENGTHS**

In the cases reviewed by the Fatality Review Committee, youth in DJJS custody received intensive assessments and services that included individual and group therapies, medication management, life skills training, substance abuse treatment programs, educational services, and tracking. Case managers and trackers were diligent in monitoring the well-being and compliance of their clients.

### **SYSTEMIC WEAKNESSES**

Due to the low number of cases reviewed for DJJS, the Committee did not identify any practice concerns or systemic weaknesses.

## **OFFICE OF THE PUBLIC GUARDIAN**

During FY 2007, the Office of the Public Guardian reported the deaths of thirteen individuals for whom they had provided guardianship services. Three clients were also receiving services in community placements through the Division of Services for People with Disabilities, and one client was receiving services through the Utah State Developmental Center. Six individuals were hospitalized at the time of their deaths, and seven individuals died in care centers. The manner of death for all clients was “natural causes”. The OGP provided the Fatality Review Coordinator with comprehensive summaries of the clients’ service histories and with an explanation of the causes of death. It appeared that all decedents received appropriate services and that their deaths were related to age and medical conditions.

# DEPARTMENT OF HUMAN SERVICES FATALITY REPORT

## SUMMARY FY 2007

<b>DEPARTMENT/DIVISION</b>	<b>Number of Reported Deaths</b>	<b>Cases Open at Time of Death</b>	<b>Cases Reviewed</b>	<b>Reviews Pending</b>	<b>Male</b>	<b>Female</b>
<b>DEPARTMENT OF HUMAN SERVICES</b>	134	101	124	10	76	58
<i>DAAS (Division of Aging and Adult Services)</i>	3	2	3	0	1	2
<i>DCFS (Division of Child and Family Services)</i>	49	21	42	7	22	27
<i>DCFS/DSPD (Division of Child and Family Services/Division of Services for People with Disabilities)</i>	1	0	1	0	1	0
<i>DJJS (Division of Juvenile Justice Systems)</i>	3	3	3	0	2	1
<i>DJJS/DCFS (Division of Juvenile Justice Systems/ Division of Child and Family Services)</i>	1	1	0	1	1	0
<i>DMH - USH (Division of Mental Health - Utah State Hospital)</i>	4	2	4	0	3	1
<b>DSPD – COMMUNITY PLACEMENT (Division of Services for People with Disabilities)</b>	56	56	56	0	37	19
<i>DSPD/DCFS (Division of Services for People with Disabilities/Division of Child and Family Services)</i>	1	1	1	0	1	0

## SUMMARY - Continued

<b>DEPARTMENT/DIVISION</b>	<b>Number of Reported Deaths</b>	<b>Cases Open at Time of Death</b>	<b>Cases Reviewed</b>	<b>Reviews Pending</b>	<b>Male</b>	<b>Female</b>
<b>DEPARTMENT OF HUMAN SERVICES</b>	134	101	124	10	76	58
<i>DSPD/DSA/MH (Division of Services for People with Disabilities/Division of Substance Abuse and Mental Health)</i>	1	1	1	0	0	1
<i>DSPD/OPG (Division of Services for People with Disabilities/Office of the Public Guardian)</i>	3	3	3	0	2	1
<i>USDC (Division of Services for People with Disabilities - Utah State Developmental Center)</i>	2	1	1	1	2	0
<i>USDC/OPG (Utah State Developmental Center/Office of the Public Guardian)</i>	1	1	0	1	1	0
<i>OPG (Office of the Public Guardian)</i>	9	9	9	0	3	6

# CHART I

## FIVE-YEAR COMPARISON

FY 2003 – FY 2007

	<u>FY 2003</u>	<u>FY2004</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY2007</u>
<b>DHS Reported Deaths</b>	106	95	106	100	134
<b>DAAS</b>	0	1	1	0	3
<b>DCFS</b>	50	35	40	31	49
<b>DCFS/DSPD</b>	1	2	1	1	1
<b>DJJS</b>	5	1	7	2	3
<b>DJJS/DCFS</b>	0	0	0	1	1
<b>DMH - USH</b>	7	6	2	2	4
<b>DSPD</b>	29	39	43	57	56
<b>DSPD/OPG</b>	0	0	0	0	3
<b>DSPD - USDC</b>	5	8	5	3	3
<b>DSPD/DMH</b>	1	0	0	0	1
<b>OPG</b>	7	3	7	3	9
<b>Cases Open at Time of Death</b>	70	66	76	79	101
<b>Reviews Held</b>	96	92	101	97	124
<b>Abuse &amp; Neglect Deaths</b>	6	9	5	6	11
<b>Accidental Deaths</b>	21	10	13	8	15
<b>Homicides</b>	5	3	4	3	5
<b>Motor Vehicle Related Deaths</b>	14	2	8	3	5
<b>Suicides</b>	11	2	9	1	4

## CHART II

### AGE AT TIME OF DEATH

FY 2007

AGE IN YEARS	DHS	DAAS	DCFS	DCFS/ DSPD	DJJS	DJJS/ DCFS	DSPD	DSPD/ DCFS/ OPG	DSPD/ DSA/ DMH	DSPD/ OPG	OPG	USDC	USDC/ OPG	USH
< 1	27		27											
1 - 3	9		9											
4 - 6	2		2											
7 - 10	9		4				5							
11 - 14	7		1	1			5							
15 - 18	11		6		3	1	1							
19 - 30	7						5	1	1					
31 - 50	28	1					21			2	1	2		1
51 - 65	20						15			1	1		1	2
66 - 80	10	1					4				4			1
81 - 90	2										2			
91 - 100	2	1									1			
<b>TOTALS</b>	<b>134</b>	<b>3</b>	<b>49</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>56</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>9</b>	<b>2</b>	<b>1</b>	<b>4</b>

**CHART III  
SUICIDE DEATHS  
FY2007**

<b>MANNER OF SUICIDE</b>	<b>GENDER</b>	<b>AGE</b>	<b>DIVISION</b>
Asphyxia (Hanging)	Male	21	DSPD
Auto/Pedestrian	Male		USH
Exit from Moving Vehicle	Male		DCFS
Gunshot Wound	Male		DJJS
<b>TOTAL - 4</b>			

**CHART IV  
HOMICIDE DEATHS  
FY2007**

<b>MANNER OF HOMICIDE</b>	<b>GENDER</b>	<b>AGE</b>	<b>DIVISION</b>
Gunshot Wound	Female	15	DCFS
Inflicted Trauma	Female	4 months	DCFS
	Male	2	DCFS
Abusive Head Injury from Shaken Baby Syndrome	Male	20	DSPD/DCFS
Strangulation	Female	3 months	DCFS
	Female	15	DCFS
<b>TOTALS</b>	<b>6</b>		

**CHART V**  
**ACCIDENTAL DEATHS**  
**FY2007**

CAUSE OF DEATH	GENDER	AGE	DIVISION
Asphyxiation	FEMALE	5 months	DCFS
	MALE	7	DCFS
	MALE	60	DSPD
Blunt Force Injuries to the Head/Traumatic Brain Injury	MALE	2	DCFS
	FEMALE	3	DCFS
	MALE	13	DCFS
	MALE	13	DCFS/DSPD
	MALE	33	DSPD
Drowning	FEMALE	10 months	DCFS
	FEMALE	12 months	DCFS
	MALE	14 months	DCFS
	MALE	18	DJJS
Smoke Inhalation/Conflagration Injuries	Male	14 months	DCFS
	Male	2	DCFS
	Female	4	DCFS
<b>TOTALS</b>	<b>15</b>		
<b>Males</b>	<b>12</b>		
<b>Females</b>	<b>3</b>		

**CHART VI**  
**ABUSE/NEGLECT DEATHS**  
**FY 2007**

CAUSE OF DEATH	DHS	GENDER	AGE	DIVISION
Traumatic Head Injury	1	Male	13	DCFS/DSPD
	1	Male	20	DSPD/DCFS
Asphyxia	1	Male	8	DCFS
	1	Female	3 months	DCFS
	1	Female	5 months	DCFS
Drowning	1	Female	10 months	DCFS
	1	Female	1	DCFS
Drug Intoxication	1	Female	28	DSPD
Inflicted Injuries	1	Female	4 months	DCFS
	1	Male	2	DCFS
Smoke Inhalation	1	Male	13 months	DCFS
<b>TOTALS</b>	<b>11</b>			

**CHART VII**  
**MEDICAL EXAMINER'S DETERMINATION**  
**MANNER OF DEATH**  
**FY 2007**

MANNER OF DEATH	DHS	DAAS	DCFS	DJJS	DSPD	OPG	USDC	USH
Accident	16		13	1	2			
Homicide	5		4		1			
Natural Causes	94	2	22	1	54	9	3	3
Pending	3		2		1			
Suicide	4		1	1	1			1
Undetermined	12	1	8	1	2			
<b>TOTALS</b>	<b>134</b>	<b>3</b>	<b>50</b>	<b>4</b>	<b>61</b>	<b>9</b>	<b>3</b>	<b>4</b>

**CHART VIII**  
**FATALITIES BY REGION AND OFFICE**  
 FY2007

**DIVISION OF AGING AND ADULT SERVICES**

REGION	TOTAL	OFFICE	TOTAL
Central	3		
		Holladay	3
<b>TOTAL</b>	<b>3</b>		<b>3</b>

**DIVISION OF CHILD AND FAMILY SERVICES**

REGION	TOTAL	OFFICE	TOTAL
Eastern	4		
		Price	2
		Roosevelt	1
		Vernal	1
Northern	12		
		Bountiful	2
		Logan	1
		Ogden	8
		Brigham City	1
Salt Lake Valley	23		
		East Jordan Neighborhood	1
		Fashion Place	1
		Jackson	4
		Magna	1
		Oquirrh Neighborhood	11
		Salt Lake West	1
		South Town	1
		Tooele	1
		West Jordan	2
Southwest	5		
		Cedar City	1
		St. George	4
Western	6		
		Heber City	1
		Nephi	1
		Provo	2
		Spanish Fork	2
<b>TOTAL</b>	<b>50</b>		<b>50</b>

CHART VIII – Continued

**DIVISION OF JUVENILE JUSTICE SYSTEMS**

REGION	TOTAL	OFFICE	TOTAL
Region I	1		
		Ogden	1
Region II	2		
		Salt Lake	2
Region III	1		
		Price	1
<b>TOTAL</b>	<b>4</b>		<b>4</b>

**DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES**

REGION	TOTAL	OFFICE	TOTAL
Central	26		
		Administration	4
		Heber City	3
		Holladay	18
		Vernal	1
Northern	11		
		Clearfield	3
		Logan	1
		Ogden	5
		SLC - State Street	2
Southern	24		
		American Fork	4
		Blanding	2
		Moab	1
		Nephi	3
		Price	2
		Provo	3
		Spanish Fork	3
		St. George	6
USDC	3		
		American Fork	3
<b>TOTAL</b>	<b>64</b>		<b>64</b>

CHART VIII - Continued

**DIVISION OF SUBSTANCE ABUSE  
and MENTAL HEALTH**

REGION	TOTAL	OFFICE	TOTAL
USH	4		
		Provo	4
<b>TOTAL</b>	<b>4</b>		<b>4</b>

**OFFICE OF THE PUBLIC GUARDIAN**

REGION	TOTAL	OFFICE	TOTAL
Northern	2		
Salt Lake	7		
Southwest	2		
Utah Valley	2		
		Administration	13
<b>TOTAL</b>	<b>13</b>		<b>13</b>



**Department of Human Services  
Office of Services Review**

**Fiscal Year 2007 Report**

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**A System Review  
of the  
Division of Child & Family Services**

**Published August 2007**



## Executive Summary

*The Office of Services Review conducted the Qualitative Case Review (QCR) and the Case Process Review (CPR), in conjunction with the Federal Court appointed monitor, as required by the "Performance Milestone Plan." The Milestone Plan is an agreement approved in Federal Court that outlines steps for the Division of Child and Family Services (DCFS) to take in order to improve the child welfare system.*

*To measure how well the Division is accomplishing this task, the Milestone Plan calls for an evaluation of both outcomes (QCR) and compliance with DCFS practice guidelines (CPR).*

*The QCR has helped identify quality services provided by Utah's child welfare system for the past eight years.*

*The CPR provided information regarding DCFS' ability to meet established policy expectations. Positive outcomes and improved services for every family are the priorities of Utah's child welfare professionals.*

*The accompanying tables highlight some of the challenges met by DCFS workers during FY2007.*

### **Qualitative Case Review (QCR):**

- Overall Child Status was 96%. All regions exceeded the exit criteria of 85%.
- 96% of all cases passed Safety.
- Overall System Performance was 90%. Three regions exceeded the exit criteria of 85%.
- All regions exceeded the 70% exit criteria on Child and Family Teaming/Coordination, Child and Family Planning Process, Plan Implementation, and Tracking and Adaptation.
- The Western, Salt Lake Valley, and Northern regions passed the QCR.

### **Case Process Review (CPR):**

- Evidence of required activities was found 92% of the time. Partial credit responses represent less than 2% of the overall score.
- For the second year in a row, overall results in each case type met the goal of 85% (and 90% in CPS).
- Five of six health care questions scored above goal. The sixth question was within 1% of reaching the goal.
- Only one measure scored below goal by more than 10%.

Submitted to:

**Utah State Legislature  
Child Welfare Legislative  
Oversight Committee and  
The Legislative Auditor  
General**

A System Review of the  
Division of Child and  
Family Services

Submitted by:

**State of Utah**

**Department of Human Services**

*Lisa-Michele Church, Executive Director*

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# I. Introduction

This report provides information on the Case Process and Qualitative Case Reviews of the Division of Child and Family Services (DCFS). Reviews help to examine how well caseworkers follow Practice Model principles and practice guidelines and measure outcomes of system processes. The Practice Model is a principle-based framework for DCFS that identifies best practice principles and procedural requirements.

In accordance with a court order dated September 17, 1998 in the matter of *David C. v. Huntsman* (also known as *David C. v. Leavitt*) the Milestone Plan was created. The Performance Milestone Plan (the Plan) identifies specific objectives to achieve, outlines the steps necessary to reach those goals, and describes methods for measuring performance. On June 28, 2007, Judge Tena Campbell approved an agreement to terminate this lawsuit. This ended formal monitoring by the court appointed monitor, Child Welfare Group (CWG). The parties agreed significant and enduring practice improvements were in effect. The Milestone Plan continues to be the official business plan of DCFS.

The Plan uses a performance measurement system developed by DCFS, CWG and the Office of Services Review (OSR). The system uses two reviews: a) The Case Process Review (CPR) tests how well caseworkers comply with very specific

practice guidelines and statutory requirements, and b) the Qualitative Case Review (QCR) measures the outcomes achieved for the child and family.

The CPR is "compliance" oriented, whereas the QCR is "outcome and principle" oriented. For example, the CPR asks if the child protection worker had face-to-face contact with the alleged victim within response guidelines (compliance with the guideline). The QCR asks if the child is currently safe (measurement of outcome).

The CPR is primarily a review of the case record. A selection of random cases is generated. OSR reviewers search the DCFS computer data system (SAFE) and travel to the field office to examine the case file and determine compliance with practice guidelines.

The QCR gathers evidence from multiple interviews in addition to reviewing the case record. A sample of 24 cases per region (72 for the Salt Lake region) is selected. Each case is evaluated by a pair of trained reviewers who interview key parties to the case such as the family, child, foster family, service providers, teachers, etc.

The first chapter of this report explains the purpose, methodology, and results of the QCR. The second chapter explains the purpose, recent process changes, methodology and results of the CPR.

## II. Qualitative Case Review

### A. Purpose of the Review

The Qualitative Case Review is a method of evaluation used by the Office of Services Review (OSR), in conjunction with the Child Welfare Group (CWG), to assess the current status of children and families served by the Division of Child and Family Services (DCFS) and the performance of the child welfare system. The Qualitative Case Review is a part of the Milestone Plan developed by DCFS and CWG to improve services to clients. FY2007 marks the eighth consecutive round of Qualitative Case Review.

### B. Methodology

Qualitative Case Reviews were conducted in all regions. Reviews began in October 2006 and concluded in May 2007. In most regions 24 cases were selected for each review. In the Salt Lake Valley region 72 cases were reviewed in two separate reviews consisting of 36 cases each. Cases were drawn from offices across each region. The total number of cases selected for review was 168.

Four cases were partially scored or not scored at all. Two children were on the run or absent without leave (AWOL) at the time of the review. Such cases automatically receive unacceptable scores on safety, which necessarily leads to an unacceptable score on Overall Child Status. Other than safety, Child Status indicators are not scored if the child is AWOL. In addition, when the child is AWOL System Performance indicators are not scored.

Two cases were unusual in circumstance. In one case, allegations of sexual perpetration by the target child toward another child in the home emerged a few days prior to the review. The foster parents declined to participate in the review and it was deemed therapeutically unwise to interview the child. This case received an unacceptable score on safety and Overall Child Status. Due to the lack of interviews with key parties, further Child Status indicators were not scored, nor were the System Performance indicators scored; however, a narrative of the case was provided to the region.

Finally, one case involved an 18-year-old child who had aged out of the system and whose case was closed prior to the review. This child was out of state and could not be interviewed. Due to the child's age and the closed status of the case, the child was not considered AWOL. Due to a lack of information, no finding was made as to her safety, and no Child Status or System Performance indicators were scored; however, a narrative of the case was provided to the region.

Because these four cases were either partially scored or not scored at all, rather than the customary statewide total of 168 cases, the total number of cases scored on Safety and overall Child Status is 167 and the total number on other Child Status indicators, System Performance indicators, and overall System Performance is 164.

The selection of cases was based on a sampling matrix, assuring that children of all age groups were included. The samples included children receiving out-of-home care and families receiving home-based services such as voluntary counseling services, protective supervision services, or intensive family preservation. Cases were selected by CWG for all regions except the Southwest region. Southwest cases were selected by OSR. The Southwest Region no longer requires CWG oversight as they previously met QCR exit criteria for two consecutive years.

The information used for evaluation was obtained through in-depth interviews with the child (if old enough to participate), parents or other guardians, foster parents (when the target child was placed in foster care), caseworker, teacher, therapist, service providers and others having a significant role in the child's life. The child's file, including prior CPS investigations and other available records, was also reviewed.

In all regions, (with the exception of the Southwest region) CWG reviewers were assigned to half of the cases. Reviewers from DCFS, OSR, or community partners were assigned to the remaining cases. An important element of a QCR review is the participation of professionals from outside DCFS who work in related fields such as mental health, juvenile courts, education, corrections, etc.

After the reviews were completed, the case was scored and reviewers submitted a case story narrative. The Qualitative Case Review instrument used by the reviewers, referred to as the QCR Protocol, is divided into two parts or domains.

The first domain appraises the child and family's current status. The indicators in this domain are:

- Safety
- Stability
- Appropriateness of Placement
- Prospects for Permanence
- Health/Physical Well-being
- Emotional/Behavioral Well-being
- Learning Progress/Development
- Caregiver Functioning
- Family Functioning and Resourcefulness
- Satisfaction

The second domain evaluates system performance. It follows the principles of the DCFS Practice Model. The indicators in this domain are:

- Child and Family Participation
- Child and Family Team and Coordination
- Child and Family Assessment
- Long-term View
- Child and Family Planning Process
- Plan Implementation
- Formal and Informal Supports/Services
- Successful Transitions
- Effective Results
- Tracking and Adaptation
- Caregiver Support

Each system indicator was scored on a scale of 1 to 6, with 1 representing a completely unacceptable outcome, 4 identifying minimally acceptable performance, and 6 representing an optimal outcome. The scaled score is then weighted. The following table identifies the weights of each system performance indicator.

<b>QCR Indicator</b>	<b>Assigned Weight</b>
<i>Child/Family Participation</i>	2
<i>Child and Family Team &amp; Coordination</i>	2
<i>Child and Family Assessment</i>	3
<i>Long-term View</i>	2
<i>Child and Family Planning Process</i>	3
<i>Plan Implementation</i>	2
<i>Formal and Informal Supports and Services</i>	2
<i>Successful Transition</i>	1
<i>Effective Results</i>	2
<i>Tracking and Adaptation</i>	3
<i>Caregiver Support</i>	1

A narrative written by the review team gave background information on the child and family's circumstances, evaluated the child's current status and described the strengths and weaknesses of the system. The reviewers made specific suggestions for improvement when needed.

#### ***Data Reliability***

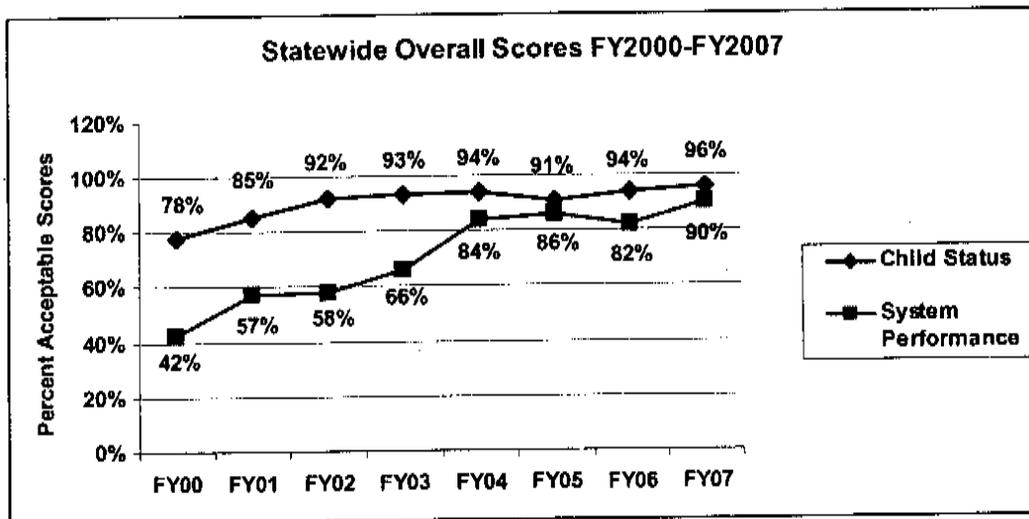
Several controls were in place to assure data accuracy. In all regions (except the Southwest region), the court appointed monitor, Paul Vincent from CWG, and his staff were involved on all levels of the review process. They participated in reviewing half of the cases, attended all case debriefings, and checked the scoring calculations. In all regions cases were reviewed by two individuals, which minimized personal biases. When DCFS personnel were involved as reviewers they paired with a non-DCFS reviewer and

examined cases in a region other than their own. Office of Services Review assessed each case story for completeness and consistency. Finally, a case story narrative for each case was submitted to the caseworker and region administration to review for factual accuracy. In addition, the caseworker, supervisor and/or region administrators had the opportunity to give factual clarifications to the reviewers during the review process in the entrance and exit interviews as well as during the debriefing of the case. The regions also have the option of appealing scores on individual cases if the appeal is based on facts that were present at the time of the review.

#### **C. Statewide Overall Scores**

Data for the Qualitative Case Review (QCR) can be examined from many different perspectives. A broad perspective examines the Overall Score for the two domains, Child and Family Status and System Performance.

The following chart illustrates the performance of DCFS on a statewide basis, gives some historical background and charts the trends in overall performance since the inception of the QCR process and the Milestone Plan. As the chart illustrates, the child welfare system has demonstrated a high level of performance in both domains for the past four years.



**Child and Family Status**

The Milestone Plan calls for 85% of all cases reviewed to attain an acceptable overall score on Child and Family Status. The scores on individual status indicators are important in identifying strengths and needs in particular areas. The score on the statewide Overall Child Status for DCFS is 96% of cases in the acceptable range. This is an increase over last year's score of 94% and represents the sixth year in a row the overall score reached over 90%.

For the sixth consecutive year, all regions met the exit criteria on Child Status. Most Child Status indicators scored very well. Indicators that achieved a statewide average of 85% or better included: Safety

(96%), Appropriateness of Placement (97%), Health/Physical Well-being (99%), Emotional/Behavioral Well-being (91%), Learning Progress (91%), Caregiver Functioning (97%), and Client Satisfaction (91%).

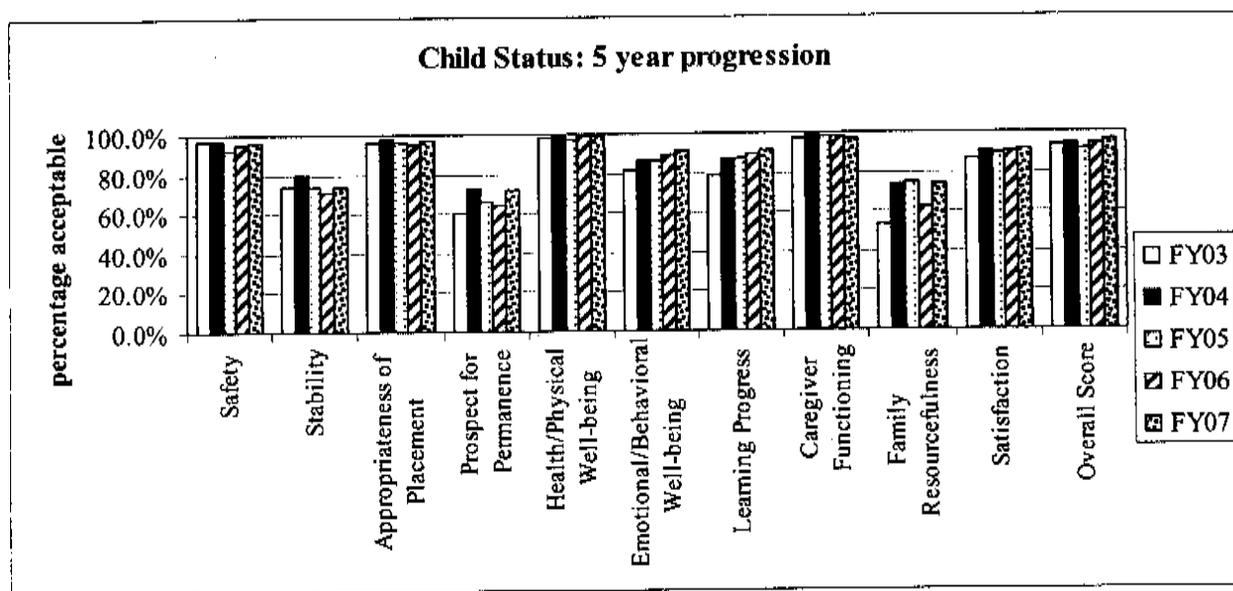
It has been difficult to achieve high scores on the status indicators of Stability, Prospects for Permanence and Family Resourcefulness but each of these indicators improved this year. (Stability 71% to 74%, Prospects for Permanence 64% to 72%, and Family Resourcefulness 62% to 74%). The overall scores for the past five years have been shaded in the chart below.

	FY03	FY04	FY05	FY06	FY07
Safety	97.1%	97.0%	92%	95%	96%
Stability	74.1%	80.0%	73%	71%	74%
Appropriateness of Placement	96.4%	97.6%	96%	95%	97%
Prospect for Permanence	60.2%	72.7%	66%	64%	72%
Health/Physical Well-being	97.6%	98.8%	97%	99%	99%
Emotional/Behavioral Well-being	81.9%	86.7%	86%	89%	91%
Learning Progress	78.8%	87.3%	87%	89%	91%
Caregiver Functioning	97.5%	99.0%	98%	98%	97%
Family Resourcefulness	53.6%	73.5%	74%	62%	74%
Satisfaction	86.1%	90.3%	89%	90%	91%
<b>Overall Score</b>	<b>93%</b>	<b>94%</b>	<b>91%</b>	<b>94%</b>	<b>96%</b>

**Safety**

Safety is referred to as the “trump” for child and family status. Since safety is central to the overall well-being of the child, the case cannot pass the Child Status domain if it fails on this indicator. To receive an acceptable rating, the child must be safe from risks of harm in his/her living and learning environments. Others in

the child’s daily environments must also be safe from high-risk behaviors or activities of the child. Of the 167 cases scored, 161 had an acceptable score on Safety, which represents 96% of all cases. This is an excellent score. The following graph illustrates Child Status results for the last five years.



**Overall Child Status Scores by Region**

The table below shows Overall Child Status results by region. For the sixth consecutive year, every region exceeded

the 85% exit criteria, and for the seventh consecutive year, the state average met or exceeded 85%.

Child Status	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07
	Baseline							Current Scores
Eastern Region	78%	83%	96%	96%	100%	92%	100%	96%
Northern Region	89%	75%	96%	100%	100%	96%	96%	100%
Salt Lake Region	87%	90%	88%	89%	90%	88%	92%	96%
Southwest Region	89%	83%	88%	96%	96%	100%	96%	91%
Western Region	50%	83%	100%	92%	92%	88%	92%	96%
Overall Score	78%	85%	92%	93%	94%	91%	94%	96%

**System Performance**

The Performance Milestone Plan calls for 85% of all cases reviewed to attain an "acceptable" overall score on System Performance. The plan also calls for the core System Performance indicators (Child and Family Team/Coordination, Child and

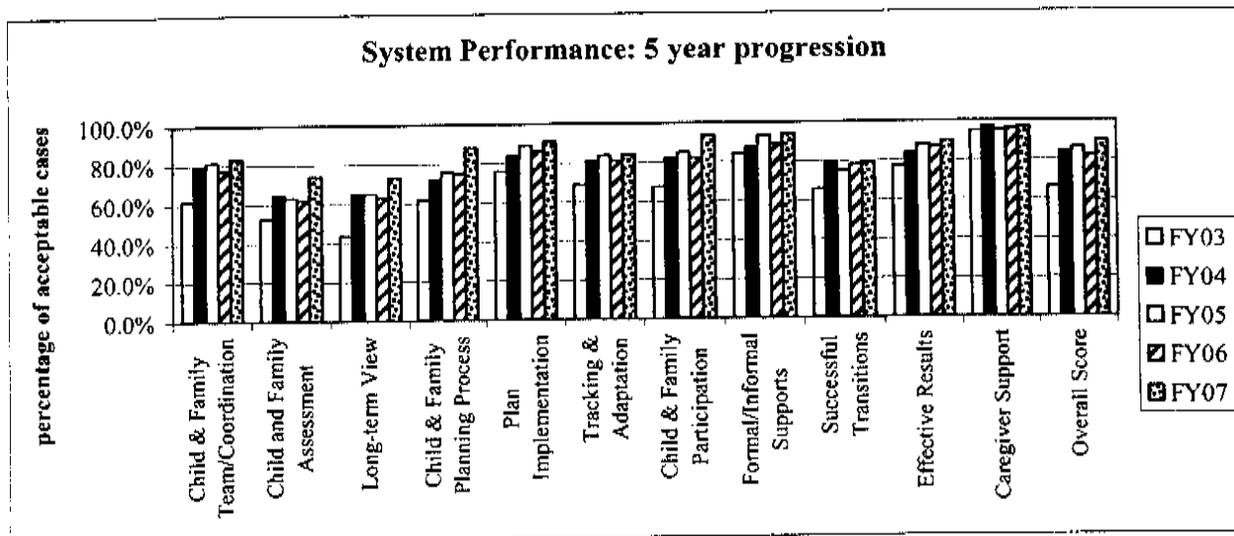
Family Assessment, Long-term View, Child and Family Planning Process, Plan Implementation, and Tracking and Adaptation) to score 70% or more. The shading in the following chart highlights the core domains.

	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07
Child & Family Team/Coordination	38.6%	38.7%	45.2%	61.4%	79.4%	81%	77%	<b>83%</b>
Child and Family Assessment	26.7%	43.6%	42.3%	52.4%	64.2%	63%	62%	<b>74%</b>
Long-term View	20.8%	36.2%	32.3%	43.4%	64.8%	65%	63%	<b>73%</b>
Child & Family Planning Process	32.7%	42.3%	52.4%	61.4%	72.1%	76%	75%	<b>88%</b>
Plan Implementation	53.5%	68.1%	66.7%	75.9%	83.6%	89%	86%	<b>91%</b>
Tracking & Adaptation	55.4%	58.9%	62.5%	68.7%	81.2%	84%	81%	<b>84%</b>
Child & Family Participation	57.0%	56.4%	60.1%	67.3%	82.4%	85%	82%	<b>93%</b>
Formal/Informal Supports	80.2%	79.8%	79.2%	84.3%	87.3%	93%	89%	<b>94%</b>
Successful Transitions	44.0%	54.3%	56.1%	65.6%	79.4%	75%	78%	<b>79%</b>
Effective Results	58.0%	66.3%	70.8%	77.1%	83.6%	88%	87%	<b>90%</b>
Caregiver Support	89.5%	91.8%	92.8%	94.8%	97.0%	95%	96%	<b>97%</b>
<b>Overall Score</b>	<b>42%</b>	<b>57%</b>	<b>58%</b>	<b>66%</b>	<b>84%</b>	<b>86%</b>	<b>82%</b>	<b>90%</b>

**Improvement in System Performance**

Statewide system performance was 90%. This is the highest score yet achieved on this domain, and represents the fourth consecutive year the score for overall System Performance was 82% or higher. All System Performance indicators improved from FY2006 to FY2007 and all

core indicators achieved a score of 73% or better. The scores on all indicators were the highest ever, setting new records on each indicator. The following graph displays the System Performance results for the last five years.



### D. System Scores by Region

The following table shows the Overall System Performance scores by region. Northern, Salt Lake and Western regions exceeded the exit criteria by scoring

better than 85%. Eastern and Southwest regions are not far behind with their score of 83%. The state as a whole had an Overall System Performance score of 90%.

System Performance	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07
	Baseline							Current
								Scores
Eastern Region	33%	75%	67%	71%	83%	92%	88%	83%
Northern Region	22%	50%	58%	58%	79%	83%	88%	96%
Salt Lake Region	48%	53%	49%	59%	86%	83%	76%	93%
Southwest Region	53%	71%	79%	88%	92%	100%	92%	83%
Western Region	32%	43%	54%	71%	79%	77%	79%	88%
<b>Overall Score</b>	<b>42%</b>	<b>57%</b>	<b>58%</b>	<b>66%</b>	<b>84%</b>	<b>86%</b>	<b>82%</b>	<b>90%</b>

### E. Core Indicators

The regions are mastering implementation of the Practice Model as measured by the scores achieved on the core indicators. For the past three years, every region has exceeded the exit criteria on Child and Family Teaming/Coordination, Plan Implementation, and Tracking and Adaptation. Over those same three years, all but one region has exceeded the criteria on Child and Family Planning. Regions have consistently had difficulty on two core indicators Child and Family Assessment and Long-term View; however scores on these indicators are rising.

regions passed each of these indicators. This year a majority of the regions exceeded the exit criteria on both indicators. More detail on the results for each of the six core indicators follows.

#### *Child and Family Team / Coordination*

For the third consecutive year, every region exceeded the 70% exit criteria. This year scores ranged from 74% in Eastern region to 87% in Salt Lake region.

As seen in the following table, the overall teaming score for the state improved from 77% last year to 83% this year.

In FY2005 and FY2006, only a couple of

C & F Teaming/Coord.	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07
	Baseline							Current
								Scores
Eastern Region	22%	50%	67%	75%	75%	79%	75%	74%
Northern Region	44%	29%	42%	42%	67%	75%	71%	83%
Salt Lake Region	37%	29%	35%	54%	78%	80%	75%	87%
Southwest Region	53%	71%	67%	92%	96%	100%	92%	83%
Western Region	36%	30%	38%	54%	83%	73%	75%	79%
<b>Overall Score</b>	<b>39%</b>	<b>39%</b>	<b>45%</b>	<b>61%</b>	<b>79%</b>	<b>81%</b>	<b>77%</b>	<b>83%</b>

**Child and Family Assessment**

Four of the regions improved their Child and Family Assessment score this year. The cumulative effect was a 12-percentage point increase in the statewide score (from 62% to 74%). This is the first year the

statewide score on Child and Family Assessment has exceeded the exit criteria. Most of the regions made excellent progress on this indicator this year.

<b>C &amp; F Assessment</b>	<b>FY00</b>	<b>FY01</b>	<b>FY02</b>	<b>FY03</b>	<b>FY04</b>	<b>FY05</b>	<b>FY06</b>	<b>FY07</b>
	<b>Baseline</b>							<b>Current</b>
								<b>Scores</b>
Eastern Region	11%	67%	54%	58%	38%	63%	50%	65%
Northern Region	11%	42%	54%	42%	54%	67%	54%	79%
Salt Lake Region	27%	37%	33%	54%	71%	52%	69%	79%
Southwest Region	37%	54%	42%	63%	83%	88%	71%	61%
Western Region	27%	30%	46%	42%	63%	68%	54%	75%
<b>Overall Score</b>	<b>27%</b>	<b>44%</b>	<b>42%</b>	<b>52%</b>	<b>64%</b>	<b>63%</b>	<b>62%</b>	<b>74%</b>

**Long-Term View**

As with Child and Family Assessment, four regions improved their score on Long-term View. The cumulative effect was a 10 percentage point increase on this indicator

(from 63% to 73%). This is the first year the statewide score on this indicator has exceeded the 70% exit criteria.

<b>Long-Term View</b>	<b>FY00</b>	<b>FY01</b>	<b>FY02</b>	<b>FY03</b>	<b>FY04</b>	<b>FY05</b>	<b>FY06</b>	<b>FY07</b>
	<b>Baseline</b>							<b>Current</b>
								<b>Scores</b>
Eastern Region	0%	50%	25%	50%	50%	63%	54%	65%
Northern Region	0%	29%	42%	25%	58%	71%	75%	92%
Salt Lake Region	33%	37%	32%	41%	70%	54%	56%	73%
Southwest Region	26%	38%	38%	54%	88%	92%	83%	65%
Western Region	9%	26%	26%	50%	50%	68%	54%	71%
<b>Overall Score</b>	<b>21%</b>	<b>36%</b>	<b>32%</b>	<b>43%</b>	<b>65%</b>	<b>65%</b>	<b>63%</b>	<b>73%</b>

**Child and Family Planning**

Four of the regions improved or maintained their scores on Child and Family Planning Process. The cumulative effect on the statewide score was a substantial 13 percentage point increase from 75% to

88%. This was due to substantial increases in two regions. Western region rose from 67% to 83% and Salt Lake region soared from 68% to 93%.

Child & Family Planning	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07
	Baseline							Current
								Scores
Eastern Region	0%	63%	67%	58%	71%	71%	83%	83%
Northern Region	11%	46%	46%	46%	63%	79%	83%	88%
Salt Lake Region	48%	31%	49%	60%	75%	72%	68%	93%
Southwest Region	32%	58%	54%	79%	83%	96%	92%	83%
Western Region	27%	35%	54%	67%	63%	68%	67%	83%
Overall Score	33%	42%	52%	62%	72%	76%	75%	88%

### Plan Implementation

Three regions improved their score on this indicator, one remained the same (Western region at 92%), and the second decreased; yet remained above the exit

criteria (Southwest region at 83%). For the fifth year in a row, every region exceeded the exit criteria on this indicator.

Plan Implementation	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07
	Baseline							Current
								Scores
Eastern Region	44%	71%	75%	79%	79%	92%	92%	100%
Northern Region	56%	67%	67%	71%	71%	83%	88%	96%
Salt Lake Region	70%	68%	57%	71%	87%	86%	79%	89%
Southwest Region	53%	75%	83%	92%	96%	100%	88%	83%
Western Region	46%	61%	71%	83%	79%	91%	92%	92%
Overall Score	53%	68%	67%	77%	84%	89%	86%	91%

### Tracking and Adaptation

All regions exceeded the exit criteria for this indicator for the fourth consecutive year. Two regions experienced double-digit declines, two other regions experienced

double-digit advances, and the final region remained the same. The statewide score on this indicator was 84%, which matches the previous high in FY2005.

Tracking and Adaptation	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07
	Baseline							Current
								Scores
Eastern Region	56%	75%	79%	83%	71%	88%	88%	78%
Northern Region	56%	54%	58%	67%	71%	88%	83%	96%
Salt Lake Region	69%	54%	57%	57%	83%	76%	75%	87%
Southwest Region	47%	75%	79%	96%	96%	100%	92%	74%
Western Region	36%	43%	50%	63%	83%	77%	79%	79%
Overall Score	55%	59%	63%	69%	81%	84%	81%	84%

## F. Summary of Progress

Eastern region scored 96% on their overall Child Status and exceeded the exit criteria on four of the six core indicators. Their overall System Performance score (83%) and their scores on Child and Family Assessment and Long-term View (both at 65%) were just below exit criteria; in fact,

they were only one case short of passing.

After two years of coming within reach of the goal, Northern region surpassed expectations this year. Their scores on overall Child Status and overall System Performance were outstanding (100% and

96%, respectively). They passed all core indicators, with scores in the ninetieth percentile on half of them. Scores on all core indicators were the highest the region has ever achieved.

Salt Lake Valley region passed the QCR for the first time in FY2004, and then fell short the next two years. This year they passed for the second time. Not only did they pass the review, they passed with extremely high scores on many of the indicators.

The Salt Lake Valley region far exceeded exit criteria on Overall Child Status (96%) and Overall System Performance (93%). The region achieved scores of 87% or higher on four of the core indicators. The two that remained in the seventieth percentile were still comfortably above the

exit criteria. The region scored higher than ever before on all core indicators.

After three years of exceeding all exit criteria, Southwest fell short this year due to scores of 83% on overall System Performance, 61% on Child and Family Assessment and 65% on Long-term View. The other core indicators declined but remained above the exit criteria. The region continues to achieve good outcomes for children, as evidenced by their overall Child Status score of 91%.

Western region passed the QCR for the first time this year. Overall, Child Status scored 96% and System Performance scored 88%. All core indicators exceeded the exit criteria, with scores ranging from 71% to 92%.

## III. Case Process Review

### A. Purpose of the Review

The Case Process Review (CPR) is an integral part of the strategy to improve system performance within the Division of Child and Family Services. In accordance with Utah statute, the Office of Services Review (OSR), in conjunction with the Federal Court appointed monitor, the Child Welfare Group (CWG), conducted the Case Process Review of DCFS and the services provided to children and families. The program areas evaluated in the Case Process Review are:

- **Child Protective Services (CPS):** This program area includes cohorts of priority one referrals, medical neglect allegations, shelter cases, unable to locate referrals<sup>i</sup>, and unaccepted referrals<sup>ii</sup>.
- **Home-Based Services:** This program area includes family preservation (PFP), voluntary protective services (PSC), and court-ordered protective supervision (PSS).
- **Foster Care Services (SCF):** This program area includes families with children placed in out-of-home care due to abuse or neglect. Cases also include families with children determined by the court to be dependent through no fault of the parent (or child).

With approval from CWG, OSR determines the Case Process Review questions, guidelines, sampling methodology, and quality controls to ensure data accuracy. The CPR protocol guides the reviewer to a measurement of compliance with practice guidelines. Scores are determined by reviewing documentation in the Utah Child Welfare Management Information System (SAFE) and/or the case file. Reviewers seek documentation of activities connected to specific questions in the CPR protocol. If documentation does not provide clear evidence of completion of an activity within the allowed timeframe, credit is not given.

Using an established mathematical method, a statewide statistically significant number of cases were selected for each program area. Performance goals for the CPR are 90% for general CPS cases and 85% for all other program areas. Findings of the CPR reflect statewide performance whereas findings of the Qualitative Case Review (QCR) reflect regional performance.

#### ***Changes to the CPR Process***

OSR continuously seeks to improve the review process and provide DCFS with the most accurate data possible. Each year the process improves through mutual discussion and agreement among all parties.

<sup>i</sup> Unable to Locate: CPS referrals closed due to inability to locate child and/or family

<sup>ii</sup> Unaccepted Referrals: CPS referrals not meeting necessary criteria to warrant an investigation

### **Health Care Requirements**

OSR and the court monitor, Child Welfare Group (CWG), with approval from the federal court, agreed to modify the Health Care portion of the CPR.

Three specific changes were agreed to:

1. Completion of an annual exam is considered timely if completed no later than the end of the 13th month following the last annual exam. This is a change from requiring annual exams be completed before the exact date thirteen months from the last annual exam. For example, consider an annual exam completed on February 5, 2005. The next annual exam would be due before March 31, 2006 instead of before March 5, 2006.
2. For children under the age of five, the Ages and Stages Questionnaire (ASQ) was introduced to meet the mental health requirement. Parties also stipulated the Ages and Stages Questionnaire-Social/Emotional (ASQ-SE), in addition to the ASQ, will be required in FY2008.
3. Evidence that a follow-up exam was "completed" is required. The original phrasing of this question used the term "initiated". Interpretation of what "initiated" means caused continual conflict. The term "completed" achieves interpretation that is more consistent.

In addition to the altered questions, DCFS health nurses and caseworkers documented exceptionally well in FY2007.

As a result, scores on medical care

questions in the CPR increased from 85% in FY2006 to 94% in FY2007. Scores for mental/emotional health questions and dental care questions increased from 67% and 71% in FY2006 to 91% and 93% respectively in FY2007.

### **Clarification of Priority One Criteria**

DCFS has refined the requirements for Priority 1 status as "an incident where there is imminent threat to the safety and wellbeing of a child/youth." Additional instruction states a Priority 1 status is NOT to be used in situations when:

1. "The police are present and able to provide protection to the alleged victim;"
- or if
2. "The child/youth is in a facility (such as a hospital) where it is reasonable to assume there are responsible adults providing protection and there are no immediate threats to the child/youth's safety."

Previously, a Priority 1 status was determined by a checklist during the intake process. The refined definition identifies the presence of a responsible authority does not require a Priority 1 status. This definition resulted in zero cases meeting the criteria required for review.

### **Clarification of Step Parent Identity**

In the past, a parent's paramour was often misidentified as a stepparent. An agreement between all parties now identifies a stepparent as "a person legally married to a biological parent and residing in the home with the child." Workers were able to more consistently document a stepparent's involvement.

In part, the clarified definition and more consistent documentation increased scores for stepparent involvement in foster care cases (55% in FY2006 to 76% in FY2007). Home-Based cases also saw scores improve (67% in FY2006 to 93% in FY2007).

**Initiating Services**

When the DCFS worker or agency is identified in the Service Plan as the party responsible for an action, the reviewers seek evidence of such action. For example, a service plan may identify the worker as responsible to monitor a child's attendance in school. If a specific frequency is not stated, the reviewers would assume a minimum of quarterly monitoring. When restrictions were placed on an activity, such as "when needed" or "if necessary," the activity was considered not applicable. This change did not appear to affect the scoring on questions regarding initiating services. In foster care as well as Home-Based cases, the scores in FY2007 were identical to scores in FY2006 (86% and 90% respectively).

**B. Methodology**

Historical knowledge of the population within each program area helps to determine the sample size used each year. OSR analysts reviewed Foster Care cases using a six-month period of July through December 2006, while a three-month review period of September through November 2006 was used for CPS and home-based cases. After OSR analysts examined all cases, a staff member of CWG repeated the review on approximately 10% of the cases. This process helps ensure inter-reader reliability.

The number of cases evaluated for FY2007 is similar to FY2006, and is a percentage of the total number of cases open for services during the review period (for CPS it's a percentage of cases closed during the review period). The breakdown of sample sizes for all program areas reviewed is shown in the table below. CPS cohort areas of priority one, medical neglect, unable to locate, and shelter had 100% of applicable cases reviewed.

<b>OSR 2007 Report Sample Sizes</b>	
<b>Program Area</b>	<b>Case Files Reviewed</b>
<b>CPS -- General</b>	<b>140</b>
<b>CPS--Cohorts</b>	<b>112</b>
Medical Neglect	24
Shelter	88
Priority One	0
<b>CPS -- Unable to Locate</b>	<b>65</b>
<b>CPS -- Unaccepted</b>	<b>131</b>
<b>Home-Based-</b>	<b>127</b>
Additional HB.2	15
Additional HB.4	14
<b>Foster Care</b>	<b>145</b>

**C. FY 2007 CPR Results**

Overall results continued to show an upward trend in FY2007. "Yes" answers, in addition to partial credit responses, comprised 92% of the applicable sample. For the second consecutive year, overall results in each case type met the goal of 85% (90% in CPS). FY2007 marks the second year of allowing partial credit on specific questions. An agreement between DCFS, the plaintiffs, and the court monitor allowed a significant change in the way partial credit is scored. Previously, a partial answer received zero credit. Consider, for example, HB.6 and FC.IVA5 (initiating

services listed in the plan). If a reviewer could find evidence that some, but not all, services identified in the family plan had been initiated, a "Partial" answer was given, which received the same credit as a "NO" answer.

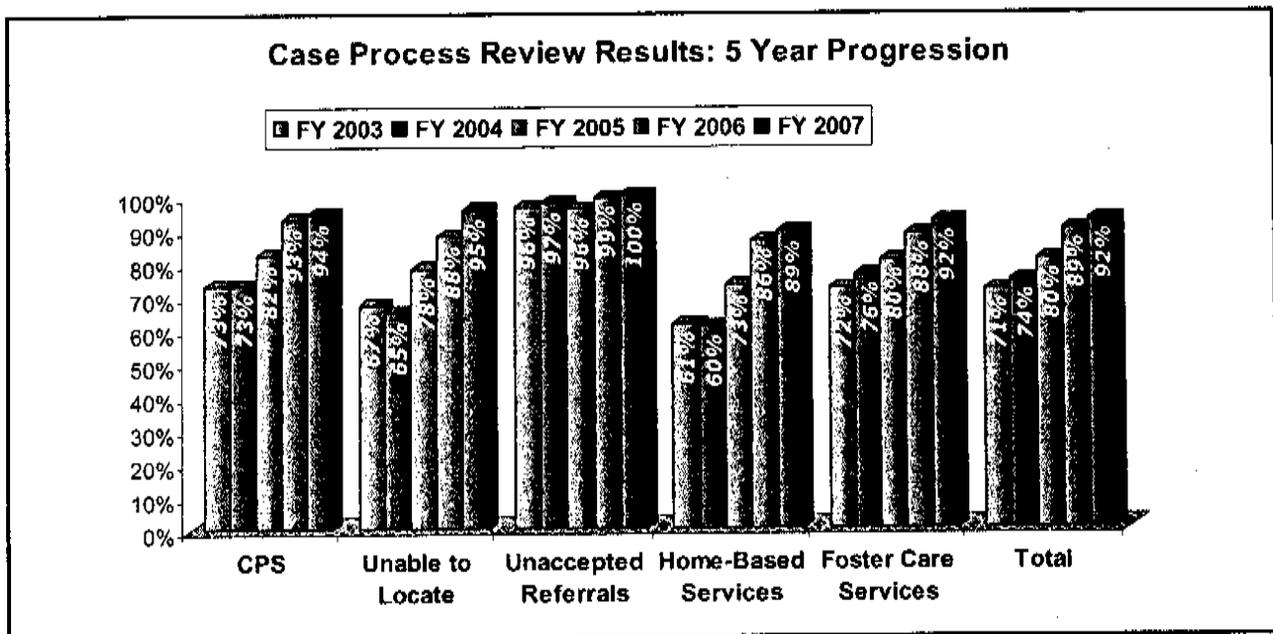
Whether a worker initiated nine out of ten services or none at all, it was treated the same. Credit is now given for the proportion of services initiated. In FY2007 the "Partial Credit" represents approximately 1% of the total overall score.

Not all questions have the option of partial credit. Questions like CPS.B2--interviewing the child's natural parent(s)--continued to receive a "Partial-no-credit" score if only one parent was interviewed. Questions that qualified for the partial credit were determined between all parties and approved by the court. The option of

partial credit is applied to the following questions:

- CPS.A2 (initiating services within 30 days of the CPS referral.) No cases met the definition for partial credit this year.
- CPS.A3 (completing the CPS investigation within 30 days or within the approved extension).
- HB.1 and HB.2 (current home-based plan is in the file and the Initial plan was created within 45 days).
- FC.IVA1 and FC.IVA2 (current foster care plan is in the file and the initial plan was created within 45 days).
- FC.II2, FC.II4, and FC.II6 in the SCF health section (initiating further evaluation and treatments).

A five-year progression of overall results is reflected in the following chart.



## D. Analysis by Case Type

All CPS questions, save one, met or exceeded the goal. The lone question had an extremely small sample of six, which caused the result to be statistically unreliable.

For all case types, of the 51 questions asked by the reviewers, 47 met or exceeded the goal. Two questions, FC.II6 pertaining to follow-up dental care, and FC.IVA2 regarding whether the initial plan was completed within 45 days, were within 1% of the goal. Question HB.2, which also examines whether the initial plan was completed within 45 days, missed the goal by only six percentage points. Only one score was more than 10% below the goal.

Question CPS.E3 (seeking evidence of weekly visits to a child in shelter) declined from 82% last year to 79% in FY2007; however, the sample size was so small the score is statistically unreliable. Please refer to the discussion on CPS.E3 within the Child Protection Services portion of the analysis.

### ***Child Protection Services (CPS)***

Question CPS.C1, pertaining to a "priority one" referral had zero cases which met the revised definition for priority one status.

On question CPS.E3, regarding a weekly shelter visit, all six cases in the universe were read. Of the six applicable, four received yes answers and two received a partial score with no credit. The "partial no credit" score generally occurred due to another worker making the visit without documentation of communicating the results with the assigned worker.

Reviewers recognize these visits took place; however, the required CPR documentation was missing. CPS cases often transferred quickly to foster care, which also resulted in smaller numbers of cases applicable to the question.

Due to historically low sample numbers, CWG agreed to have OSR explore additional cases for questions CPS.A2 (regarding worker's initiation of services within 30 days of the referral) and CPS.B4 (making an unscheduled home visit). Scoring on these two questions did not appear to be affected. CPS.A2 remained within four percentage points of the score achieved during FY2006, while CPS.B4 actually declined by eight percentage points.

### ***Unable to Locate and Unaccepted***

All Unable-to-Locate questions exceeded the goal this year, as opposed to only three of five questions last year. Unaccepted referrals have traditionally surpassed the goal, and did so again in FY2007.

### ***Home-Based Results***

Home-based cases continue to show improvement with scores reaching above goal on four of the five questions. The single question (HB.2, "Was an initial child and family plan completed for the family within 45 days of case start") missed goal by only six percentage points.

With the approval of CWG, OSR included supplementary samples to explore the involvement of stepparents for question HB.4. An impressive increase took place on this question. Parents were involved

92% of the time as opposed to 80% in FY2006. Stepparents and target children were involved 93% and 100% of the time respectively, as opposed to 67% and 65% previously. It appears DCFS caseworkers are documenting more effectively when planning services for their families.

Question HB.2, "Was an initial child and family plan completed for the family within 45 days of case start" has yet to reach the expected goal of 85%. A slight decline occurred during the past year (from 82% to 79%); however, the five-year progression of scores indicates an overall improvement from a low of 26% to the high of 82% in FY2006.

Of the 49 family plans reviewed, only one plan was completed too late to receive credit.

#### ***Foster Care Results***

More foster care questions met the desired goal in FY2007 than ever before. Of 21 questions, 18 met or surpassed the goal. Questions regarding placement changes and new placements (FC.IA2 to FC.IA5) yielded great results with all questions meeting the goal.

Giving the out-of-home caregiver information about the child prior to placement of the child into the home (FC.A5) went from 75% to 85% and met the goal for the first time. In addition to joint training with OSR, DCFS has active "Practice Improvement Teams" consistently encouraging region management and workers. DCFS also completes internal QCRs and Quality Assessments. The agency's efforts are reflected in the scores for FY2007.

Of the six medical questions, all but one met the goal and the single question not reaching goal was within 1%. A very notable improvement was identified on question FC.II2, which saw an increase from 67% to 86% in FY2007. In addition, progress is evident in FC.III2 (children's educational assessment needs). Scores for this question have improved from 79% two years ago to 94% this year!

Visitation questions for foster-care have traditionally scored well. FC.IB4 (did the worker visit privately with the child?) has been amended several times throughout the history of the Case Process Review Protocol. In FY2006, DCFS clarified the requirement of visiting privately with the child to mean "outside the presence of the caretaker" and all parties agreed to review the question with this in mind. FY2007 scores reflect minor declines from FY2006; however, scores observed over the past five years verify improvement.

Creation of initial plans (FC.IVA2) achieved a score of 84%, up from 76%, but remained below the desired goal. This score is still encouraging for workers since historically this question has scored very low.

Reviewers saw improvement of documentation on FC.IVA3 regarding involvement of family members in planning. OSR reviewers looked for evidence family members were included in discussions regarding the plan before the plan was finalized. Scores improved by 14 percentage points for involvement of the child (from 83% to 97%) and 21 percentage points for parents and stepparents (from 70% to 91% for parents and from 55% to 76% for stepparents).

## **E. Continual Improvement Plan**

DCFS employees are committed to and value the difficult work necessary to establish safe, secure environments for Utah's most vulnerable families.

When an allegation of impropriety within the Salt Lake Valley region occurred, OSR assisted DCFS in creating additional checks and balances to the case selection process in order to protect the integrity of the results. The commitment of OSR staff to independent and comprehensive examination of the child welfare system continues to help ensure Utah's families receive quality review services.

The recent agreement between parties in Federal Court will allow DCFS and OSR to continue with established review methods without an assigned court monitor. The Division has succeeded in meeting most of the desired goals of the Case Process Review for two consecutive years. The Office of Services Review continues to assist DCFS improve methods of documentation associated with the Case Process Review and provides additional

training regarding practice guideline requirements associated with the CPR.

State administrative staff and regional management staff use the CPR protocol tool to review cases. Computer programs exist which allow DCFS supervisors to monitor staff performance, using automated queries of policy buttons in Utah's information management system (SAFE).

SAFE continues to evolve to accommodate new or improved methods of documenting required practices. As policies advance to provide better quality service to the community, so too does the SAFE system. Tables showing score comparisons for the past five years appear on the following pages. Tables showing the complete results of the 2007 Case Process, including sample sizes and responses, are shown in the Appendix.

# Tables

**Table I**

**Five-Year Progression  
General CPS**

Type & Tool #	Question	GOAL	FY2007	25%	2006	2005	2004	2003
<b>General CPS</b>								
CPS.A1	Did the investigating worker see the child within the priority time frame?	90%	90%		87%	83%	78%	69%
CPS.A2	If the child remained at home, did the worker initiate services within 30 days of the referral?	90%	98%		94%	76%	90%	
CPS.A3	Was the investigation completed within 30 days of CPS receiving the report from intake or within the extension time frame granted if the Regional Director granted an extension?	90%	96%		94%	84%	81%	
CPS.B1	Did the worker conduct the interview with the child outside the presence of the alleged perpetrator?	90%	92%		94%	97%	88%	93%
CPS.B2	Did the worker interview the child's natural parent(s) or other guardian when their whereabouts are known?	90%	91%		88%	77%	60%	57%
CPS.B3	Did the worker interview third parties who have had direct contact with the child, where possible and appropriate?	90%	95%		97%	82%	74%	76%
CPS.B4	Did the CPS worker make an unscheduled home visit?	90%	91%		99%	75%	78%	75%
CPS.C1	If this is a Priority 1 case involving trauma caused from severe maltreatment, severe physical injury, recent sexual abuse, fetal addiction, or any exposure to a hazardous environment was a medical examination of the child obtained no later than 24 hours after the report was received?	90%	N/A <sup>1</sup>		86%	100%	88%	89%
CPS.C2	If this case involves an allegation of medical neglect, did the worker obtain a medical neglect assessment from a health care provider prior to case closure?	90%	96%		81%	74%	57%	77%
CPS.D1	Were the case findings of the report based on the facts/information obtained/available during the investigation?	85%	98%		99%	94%	83%	91%
CPS.E1	Was the child placed in a shelter placement?							
CPS.E2	Did the worker visit the child in the shelter placement within 48 hours of removal from the child's home?	85%	94%		87%	55%	45%	53%
CPS.E3	After the first 48 hours, did the worker visit the child in the shelter placement at least weekly, until the CPS case closure or until transferred to a foster care caseworker?	85%	67% <sup>2</sup>		80%	38%	11%	30%
CPS.E4	Within 24 hours of the child's placement in shelter care, did the worker make reasonable efforts to gather information essential to the child's safety and well-being and was this information given to the shelter care provider?	85%	93%		86%	83%	58%	65%
CPS.E5	During the CPS investigation, were reasonable efforts made to locate possible kinship placements?	85%	100%		98%	95%	93%	85%

1. Zero applicable cases in sample. No score.
2. Sample size of 6 leads to statistically unreliable score.

Equal to or above goal.
Within 10-percentage points of desired goal.
More than 10-percent below desired goal.

**Table II**

**Five-Year Progression  
Unable to Locate, Unaccepted Referrals, Home-Based**

Type & Tool #	Question	GOAL	FY2007	25%	2006	2005	2004	2003
<b>Unable to Locate Cases</b>								
Unable 1	Did the worker visit the home at times other than normal working hours?	85%	96%		83%	68%	59%	12%
Unable 2	If any child in the family was school age, did the worker check with local schools or the local school district for contact/location information about the family?	85%	93%		79%	88%	71%	81%
Unable 3	Did the worker check with law enforcement agencies to obtain contact/location information about the family?	85%	96%		87%	81%	63%	80%
Unable 4	Did the worker check public assistance records for contact/location information regarding the family?	85%	98%		98%	83%	57%	72%
Unable 5	Did the worker check with the referent for new information regarding the family?	85%	93%		85%	66%	59%	60%
<b>Unaccepted Referrals</b>								
Unacc.1	Was the nature of the referral documented?	85%	100%		99%	99%	100%	98%
Unacc.2	Did the intake worker staff the referral with the supervisor or other intake/CPS worker to determine non-acceptance of the report?	85%	100%		100%	99%	100%	100%
Unacc.3	Does the documentation adequately support the decision not to accept the referral?	85%	99%		98%	89%	95%	89%
<b>Home-Based Services</b>								
HB.1	Is there a current child and family plan in the file?	85%	89%		89%	54%	47%	36%
HB.2	Was an initial child and family plan completed for the family within 45 days of case start date?	85%	79%		82%	51%	42%	25%
HB.3	(This question has been dropped by court order)							
HB.4	Were the following members involved in the development of the current child and family plan?							
	the natural parent(s)/guardian	85%	92%		80%	64%	37%	47%
	the stepparent (if appropriate)	85%	93%		67%	50%	38%	36%
	the target child(ren) (age 12 and older)	85%	100%		65%	53%	25%	26%
	Performance rate for three sub-questions		94%					
HB.5	(This question has been dropped by court order)							
HB.6	Did the worker initiate services for the family/child as identified in the child and family plan(s)?	85%	90%		90%	75%	53%	75%
HB.7	Did the worker make at least one home visit each month of this review period?							
	Month one	85%	90%		86%	88%	81%	78%
	Month two	85%	87%		90%	86%	86%	80%
	Month three	85%	90%		88%	89%	86%	75%
	Performance rate for three months		89%					
HB.8	(This question has been dropped by court order)							

Equal to or above goal.  
 Within 10-percentage points of desired goal.  
 More than 10-percent below desired goal.

**Table III**

**Five-Year Progression  
Foster Care Case Set-Up and Visitation**

Type & Tool #	Question	GOAL	FY2007	25%	2006	2005	2004	2003
<b>Foster Care Case Set-Up &amp; Visitation</b>								
FC.IA1	Did the child experience an initial placement or placement change during this review period?							
FC.IA2	Following the shelter hearing, were reasonable efforts made to locate kinship placements?	85%	100%		95%	81%	96%	85%
FC.IA3	Were the child's special needs or circumstances taken into consideration in the placement decision?	85%	100%		96%	93%	88%	91%
FC.IA4	Was proximity to the child's home/parents taken into consideration in the placement decision?	85%	100%		100%	96%	100%	89%
FC.IA5	Before the new placement was made, was basic available information essential to the child's safety and welfare and the safety and welfare of other children in the home given to the out-of-home care provider?	85%	85%		75%	69%	51%	46%
FC.IB1	Did the worker contact the out-of-home caregiver at least once during each month of this review period to check on the needs and progress of the child?							
	Month one	85%	96%		96%	95%	90%	91%
	Month two	85%	97%		89%	91%	93%	94%
	Month three	85%	96%		88%	90%	86%	91%
	Month four	85%	97%		92%	91%	88%	92%
	Month five	85%	97%		94%	92%	86%	84%
	Month six	85%	93%		94%	94%	86%	86%
	Performance rate for six months		95%					
FC.IB2	Did the worker visit the child in his/her out-of-home placement at least once during each month of this review period?							
	Month one	85%	91%		88%	91%	86%	87%
	Month two	85%	88%		85%	89%	83%	87%
	Month three	85%	91%		90%	90%	88%	89%
	Month four	85%	93%		91%	91%	89%	84%
	Month five	85%	92%		93%	91%	84%	79%
	Month six	85%	90%		91%	91%	85%	80%
	Performance rate for six months		91%					
FC.IB3	Did the worker visit the child at least once during each month of this review period?							
	Month one	85%	96%		95%	95%	94%	93%
	Month two	85%	97%		93%	92%	94%	95%
	Month three	85%	95%		92%	94%	94%	92%
	Month four	85%	96%		96%	95%	95%	87%
	Month five	85%	96%		97%	97%	94%	87%
	Month six	85%	91%		95%	95%	93%	89%
	Performance rate for six months		95%					
FC.IB4	Did the worker visit privately with the child?							
	Month one	85%	84%		89%	66%	69%	80%
	Month two	85%	87%		89%	63%	65%	85%
	Month three	85%	89%		96%	69%	70%	83%
	Month four	85%	85%		93%	70%	82%	75%
	Month five	85%	90%		95%	77%	65%	78%
	Month six	85%	85%		93%	71%	77%	81%
	Performance rate for six months		87%					

Equal to or above goal.
Within 10-percentage points of desired goal.
More than 10-percentage points below desired goal.

**Table IV**

**Five-Year Progression  
Foster Care Health and Educational Assessments**

Type & Tool #	Question	GOAL	FY2007	25%	2006	2005	2004	2003
FC.II1	Was an initial or annual comprehensive health assessment conducted on time?	85%	94%		85%	86%	78%	81%
FC.II2	If a need for further evaluation or treatment was indicated in the most current initial or annual health assessment, was that evaluation or treatment initiated as recommended by the primary care providers?	85%	86%		67%	58%	62%	53%
FC.II3	Was an initial or annual mental health assessment conducted on time?	85%	91%		67%	60%	71%	61%
FC.II4	If a need for mental health services was indicated in the most current initial or annual mental health assessment, were those services initiated within 30 days of receipt of the evaluator's consultation form, unless within 30 days of receipt of the evaluation recommendation the family team concluded that specified services were inappropriate for the child at that time?	85%	93%		81%	73%	66%	69%
FC.II5	Was an initial or annual dental assessment conducted on time?	85%	93%		71%	80%		75%
FC.II6	If need for further dental care treatment was indicated in the initial or annual dental exam was that treatment initiated as recommended by the primary care providers?	85%	84%		80%	78%	76%	75%
FC.III1	Is the child school aged?							
FC.III2	If there was reason to suspect the child may have an educational disability, was the child referred for assessments for specialized services?	85%	94%		89%	79%	80%	71%

Equal to or above goal.
Within 10-percentage points of desired goal.
More than 10-percent below desired goal.

**Table V**

**Five-Year Progression  
Foster Care Case Planning**

Type & Tool #	Question	GOAL	FY2007	25%	2006	2005	2004	2003	
FC.IVA1	Is there a current child and family plan in the file?	85%	88%		86%	46%	45%	45%	
FC.IVA2	If the child and family plan which was current at the end of the review period was the child's initial child and family plan, was it completed no later than 45 days after a child's removal from home?	85%	84%		76%	53%			
FC.IVA3	Were the following team members involved in creating the current child and family plan?								
	the natural parent(s)/guardian?	85%	91%		70%	66%	43%	63%	
	the stepparent (if appropriate)	85%	76%		55%	50%	20%	45%	
	the child? (age 12 and older)	85%	97%		83%	89%	45%	57%	
	Performance rate for three sub-questions		92%						
FC.IVA4	(This question has been dropped by court order)								
FC.IVA5	Did the worker initiate services for the family/child as identified in the child and family plans that are current during the review period?	85%	86%		86%	55%	39%	55%	
FC.IVA6	Was the child provided the opportunity to visit with his/her parent(s) weekly?	85%	85%		83%	60%	47%	53%	
FC.IVA7	Was the child provided the opportunity for visitation with his/her sibling(s) weekly?	85%	82%		72%	46%	32%	45%	

1. If this question had met goal, it would still fail due to having more than 25% of the total score coming from partial credits, (38%).

Equal to or above goal.
Within 10-percentage points of desired goal.
More than 10-percent below desired goal.

# Appendix –

# Appendix A.

## FY2007 General CPS Data Tables

Type & Tool #	Question	Sample	Yes	Partial Credit	Partial No Credit	No	EC-na	EC	NA	GOAL	FY2007	25%	Precision range
<b>General CPS</b>													
CPS.A1	Did the Investigating worker see the child within the priority time frame?	140	126	0	0	6		8	0	90%	90%		4.2%
CPS.A2	If the child remained at home, did the worker initiate services within 30 days of the referral?	54	53	0	0	1		0	112	90	98%		3.0%
CPS.A3	Was the investigation completed within 30 days of CPS receiving the report from intake or within the extension time frame granted if the Regional Director granted an extension?	140	130	3.75	1	4		0	0	90%	96%		2.9%
CPS.B1	Did the worker conduct the interview with the child outside the presence of the alleged perpetrator?	100	92	0	1	3		4	40	90%	92%		4.5%
CPS.B2	Did the worker interview the child's natural parent(s) or other guardian when their whereabouts are known?	138	126	0	11	1		0	2	90%	91%		3.9%
CPS.B3	Did the worker interview third parties who have had direct contact with the child, where possible and appropriate?	131	125	0	0	6		0	9	90%	95%		3.0%
CPS.B4	Did the CPS worker make an unscheduled home visit?	55	50	0	0	2		3	116	90%	91%		6.4%
CPS.C1	If this is a Priority I case involving trauma caused from severe maltreatment, severe physical injury, recent sexual abuse, fetal addiction, or any exposure to a hazardous environment was a medical examination of the child obtained no later than 24 hours after the report was received?	0	0	0	0	0		0	268	90%	N/A <sup>2</sup>		(1)
CPS.C2	If this case involves an allegation of medical neglect, did the worker obtain a medical neglect assessment from a health care provider prior to case closure?	24	23	0	0	1		0	244	90%	96%		(1)
CPS.D1	Were the case findings of the report based on the facts/information obtained/available during the investigation?	140	137	0	1	2		0	0	85%	98%		2.0%
CPS.E1	Was the child placed in a shelter placement?												
CPS.E2	Did the worker visit the child in the shelter placement within 48 hours of removal from the child's home?	86	81	0	0	5		0	180	85%	94%		(1)
CPS.E3	After the first 48 hours, did the worker visit the child in the shelter placement at least weekly, until the CPS case closure or until transferred to a foster care caseworker?	6	4	0	2	0		0	260	85%	67% <sup>3</sup>		(1)
CPS.E4	Within 24 hours of the child's placement in shelter care, did the worker make reasonable efforts to gather information essential to the child's safety and well-being and was this information given to the shelter care provider?	87	81	0	5	1		0	179	85%	93%		(1)
CPS.E5	During the CPS investigation, were reasonable efforts made to locate possible kinship placements?	85	85	0	0	0		0	181	85%	100%		0.0%

1 No precision range exists due to 100% of population being reviewed.

2 Sample totaled zero applicable; all were N/A, resulting in a statistically unreliable score.

3 Sample totaled six, with large number of N/A cases, resulting in a statistically unreliable score.

Note: Given the sample sizes and variables for each question in the following tables, there is a 90% confidence the true FY2007 population percent falls between the +/- range for the precision rate on each question. As an example: On Appendix A question CPS.A1, the FY2007 score is 90%. The precision range for this question is 4.2%. Therefore, OSR is 90% confident the true percentage falls between 85.8% and 94.2% for question CPS.A1.

Equal to or above goal.

Within 10-percentage points of desired goal.

More than 10-percent below desired goal.

# Appendix B.

## Unable to Locate, Unaccepted Referrals, Home Based Data Tables

Type & Tool #	Question	Sample	Yes	Partial Credit	Partial No Credit	No	EC-na	EC	NA	GOAL	FY2007	25%	Precision range
<b>Unable to Locate Cases</b>													
Unable 1	Did the worker visit the home at times other than normal working hours?	26	25		0	1		0	45	85%	96%		(1)
Unable 2	If any child in the family was school age, did the worker check with local schools or the local school district for contact/location information about the family?	29	27			2		0	42	85%	93%		(1)
Unable 3	Did the worker check with law enforcement agencies to obtain contact/location information about the family?	52	50			2		0	19	85%	96%		(1)
Unable 4	Did the worker check public assistance records for contact/location information regarding the family?	54	53			1		0	17	85%	98%		(1)
Unable 5	Did the worker check with the referent for new information regarding the family?	55	51			3		1	16	85%	93%		(1)
<b>Unaccepted Referrals</b>													
Unacc.1	Was the nature of the referral documented?	131	131			0				85%	100%		(1)
Unacc.2	Did the intake worker staff the referral with the supervisor or other intake/CPS worker to determine non-acceptance of the report?	131	131			0				85%	100%		(1)
Unacc.3	Does the documentation adequately support the decision not to accept the referral?	131	130			1				85%	99%		(1)
<b>Home-Based Services</b>													
HB.1	Is there a current child and family plan in the file?	126	103	9	10	1		0	1	85%	89%		4.6%
HB.2	Was an initial child and family plan completed for the family within 45 days of case start date?	49	29	9.75	6	1		0	94	85%	79%		9.6%
HB.3	(This question has been dropped by court order)												
HB.4	Were the following members involved in the development of the current child and family plan?												
	the natural parent(s)/guardian	66	61	0	3	2		0	61	85%	92%		5.4%
	the stepparent (if appropriate)	15	14	0	0	1		0	138	85%	93%		10.6%
	the target child(ren) (age 12 and older)	20	20	0	0	0		0	107	85%	100%		0.0%
Performance rate for three sub-questions:													
HB.5	(This question has been dropped by court order)												
HB.6	Did the worker initiate services for the family/child as identified in the child and family plan(s)?	96	75	11.34	0	3		0	31	85%	90%		5.1%
HB.7	Did the worker make at least one home visit each month of this review period?												
	Month one	118	106	0	0	10		2	9	85%	90%		4.6%
	Month two	127	110	0	0	13		4	0	85%	87%		5.0%
	Month three	99	89	0	0	9		1	28	85%	90%		5.0%
Performance rate for three months:													
HB.8	(This question has been dropped by court order)												

1 No precision range exists due to 100% of population being reviewed.

Note: Given the sample sizes and variables for each question in the following tables, there is a 90% confidence the true FY2007 population percent falls between the +/- range for the precision rate on each question. As an example: On Appendix A question CPS.A1, the FY2007 score is 90%. The precision range for this question is 4.2%. Therefore, OSR is 90% confident the true percentage falls between 85.8% and 94.2% for question CPS.A1.

Equal to or above goal.
Within 10-percentage points of desired goal.
More than 10-percent below desired goal.

# Appendix C

## Foster Care Set Up & Planning Data Tables

Type & Tool #	Question	Sample	Yes	Partial Credit	Partial No Credit	No	EC-na	EC	NA	GOAL	FY2007	25%	Precision range
<b>Foster Care Case Set-Up</b>													
FC.IA1	Did the child experience an initial placement or placement change during this review period?												
FC.IA2	Following the shelter hearing, were reasonable efforts made to locate kinship placements?	37	37	0	0	0		0	108	85%	100%		0.0%
FC.IA3	Were the child's special needs or circumstances taken into consideration in the placement decision?	56	56	0	0	0		0	89	85%	100%		0.0%
FC.IA4	Was proximity to the child's home/parents taken into consideration in the placement decision?	48	48	0	0	0		0	97	85%	100%		0.0%
FC.IA5	Before the new placement was made, was basic available information essential to the child's safety and welfare and the safety and welfare of other children in the home given to the out-of-home care provider?	53	45	0	0	8		0	92	85%	85%		8.1%
<b>Foster Care Case Planning</b>													
FC.IVA1	Is there a current child and family plan in the file?	145	113	20	9	3		0	0	85%	88%		3.8%
FC.IVA2	If the child and family plan which was current at the end of the review period was the child's initial child and family plan, was it completed no later than 45 days after a child's removal from home?	48	27	18	2	1		0	107	85%	84%		5.7%
FC.IVA3	Were the following team members involved in creating the current child and family plan?												
	the natural parent(s)/guardian?	89	81	0	6	2		0	56	85%	91%		5.0%
	the stepparent (if appropriate)	21	16	0	1	4		0	154	85%	76%		15.3%
	the child? (age 12 and older)	67	65	0	0	2		0	77	85%	97%		3.4%
<b>Performance rate for three sub-questions</b>													
FC.IVA4	(This question has been dropped by court order)												
FC.IVA5	Did the worker initiate services for the family/child as identified in the child and family plans that are current during the review period?	118	80	0	0	5		0	26	85%	86%		7.1%
FC.IVA6	Was the child provided the opportunity to visit with his/her parent(s) weekly?	72	61	0	9	2		0	73	85%	85%		7.0%
FC.IVA7	Was the child provided the opportunity for visitation with his/her sibling(s) weekly?	50	41	0	7	2		0	95	85%	82%		8.9%

Note: Given the sample sizes and variables for each question in the following tables, there is a 90% confidence the true FY2007 population percent falls between the +/- range for the precision rate on each question. As an example: On Appendix C question FC.IA5, the FY2007 score is 85%. The precision range for this question is 8.1%. Therefore, OSR is 90% confident the true percentage falls between 76.9% and 93.1% for question FC.IA5.

Equal to or above goal.
Within 10-percentage points of desired goal.
More than 10-percent below desired goal.

# Appendix D.

## Foster Care Visitation Data Table

Type & Tool #	Question	Sample	Yes	Partial Credit	Partial No Credit	No	EC	NA	GOAL	Perform Rate (%) FY 2007	>25% PC?	Precision range
<b>Foster Care Visitation</b>												
FC.IB1	Did the worker contact the out-of-home caregiver at least once during each month of this review period to check on the needs and progress of the child?											
	Month one	104	100	0	0	4	0	40	85%	96%		3.1%
	Month two	111	108	0	0	3	0	33	85%	97%		2.5%
	Month three	117	112	0	0	5	0	27	85%	96%		3.1%
	Month four	120	116	0	0	4	0	24	85%	97%		2.7%
	Month five	118	115	0	0	3	0	26	85%	97%		2.4%
	Month six	111	103	0	0	8	0	33	85%	93%		4.0%
Performance rate for six months										96%		
FC.IB2	Did the worker visit the child in his/her out-of-home placement at least once during each month of this review period?											
	Month one	104	95	0	0	9	0	40	85%	91%		4.5%
	Month two	113	100	0	0	13	0	31	85%	88%		4.9%
	Month three	117	106	0	0	10	1	27	85%	91%		4.4%
	Month four	120	111	0	0	9	0	24	85%	93%		4.0%
	Month five	118	108	0	0	10	0	26	85%	92%		4.2%
	Month six	112	101	0	0	10	1	32	85%	90%		4.6%
Performance rate for six months										91%		
FC.IB3	Did the worker visit the child at least once during each month of this review period?											
	Month one	109	105	0	0	4	0	35	85%	96%		3.0%
	Month two	119	115	0	0	4	0	25	85%	97%		2.7%
	Month three	126	120	0	0	5	1	18	85%	95%		3.1%
	Month four	126	121	0	0	5	0	18	85%	96%		2.9%
	Month five	123	118	0	0	5	0	21	85%	96%		2.9%
	Month six	116	106	0	0	10	0	28	85%	91%		4.3%
Performance rate for six months										95%		
FC.IB4	Did the caseworker visit privately with the child?											
	Month one	87	73	0	0	14	0	57	85%	84%		6.5%
	Month two	89	77	0	0	12	0	55	85%	87%		6.0%
	Month three	92	82	0	0	10	0	52	85%	89%		5.3%
	Month four	95	81	0	0	14	0	49	85%	85%		6.0%
	Month five	90	81	0	0	9	0	54	85%	90%		5.2%
	Month six	91	77	0	0	14	0	53	85%	85%		6.2%
Performance rate for six months										87%		

Note: Given the sample sizes and variables for each question in the following tables, there is a 90% confidence the true FY2007 population percent falls between the +/- range for the precision rate on each question. As an example: On Appendix D question FC.IB1, the FY2007 score for month six is 93%. The precision range for this question is 4.0%. Therefore, OSR is 90% confident the true percentage falls between 89% and 97% question FC.IB1.

Equal to or above goal.
Within 10-percentage points of desired goal.
More than 10-percent below desired goal.

# Appendix E.

## Foster Care Health and Education Assessments Data Table

Type & Tool #	Question	Sample	Yes	Partial Credit	Partial No Credit	No	EC	NA	GOAL	FY 2007	>25% PC?	Precision range
<b>Foster Care Health</b>												
FC.II1	Was an initial or annual comprehensive health assessment conducted on time?	141	130	3	6	2	0	4	85%	94%		3.2%
FC.II2	If a need for further evaluation or treatment was indicated in the most current initial or annual health assessment, was that evaluation or treatment initiated as recommended by the primary care providers?	35	30	0	5	0	0	110	85%	86%		9.7%
FC.II3	Was an initial or annual mental health assessment conducted on time?	137	124	0	8	5	0	8	85%	91%		4.1%
FC.II4	If a need for mental health services was indicated in the most current initial or annual mental health assessment, were those services initiated within 30 days of receipt of the evaluator's consultation form, unless within 30 days of receipt of the evaluation recommendation the family team concluded that specified services were inappropriate for the child at that time?	88	80	2	5	1	0	57	85%	93%		4.4%
FC.II5	Was an initial or annual dental assessment conducted on time?	120	111	0	7	2	0	25	85%	93%		4.0%
FC.II6	If need for further dental care treatment was indicated in the initial or annual dental exam was that treatment initiated as recommended by the primary care providers?	44	37	0	4	3	0	101	85%	84%		9.1%
<b>Foster Care Education</b>												
FC.III1	Is the child school aged?		104				41					
FC.III2	If there was reason to suspect the child may have an educational disability, was the child referred for assessments for specialized services?	17	16	0	1		0	128	85%	94%		9.4%

Note: Given the sample sizes and variables for each question in the following tables, there is a 90% confidence the true FY2007 population percent falls between the +/- range for the precision rate on each question. As an example: On Appendix E question FC.II1, the FY2007 score is 94%. The precision range for this question is 3.2%. Therefore, OSR is 90% confident the true percentage falls between 90.7% and 97.2% for question FC.II1.

Equal to or above goal.
Within 10-percentage points of desired goal.
More than 10-percent below desired goal.



1 **WAIVERS OF IMMUNITY - EXCEPTIONS**

2 2008 GENERAL SESSION

3 STATE OF UTAH

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5 **LONG TITLE**

6 **General Description:**

7 This bill amends the Utah Human Services Code and the Governmental Immunity Act  
8 of Utah to provide exceptions to the immunity granted to government employees and  
9 certain persons, officials, and institutions.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ provides that the immunity of a person, official, or institution who participates or
- 13 assists in a child protection matter does not apply if the person intentionally,
- 14 willfully, or knowingly engages in certain misconduct;
- 15 ▶ provides that the immunity of a government employee during the performance of an
- 16 employee's duties, within the scope of employment, or under color of authority does
- 17 not apply if the employee intentionally or knowingly engages in certain misconduct;
- 18 and
- 19 ▶ makes technical changes.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 **AMENDS:**

26 **62A-4a-410**, as last amended by Laws of Utah 2005, Chapter 102

27 **63-30d-202**, as enacted by Laws of Utah 2004, Chapter 267

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29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **62A-4a-410** is amended to read:

31 **62A-4a-410. Immunity from liability -- Exceptions.**

32 (1) [Any] Except as provided in Subsection (3), any person, official, or institution

33 participating in good faith in making a report, taking photographs or X-rays, assisting an  
 34 investigator from the division, serving as a member of a child protection team, or taking a child  
 35 into protective custody pursuant to this part, is immune from any liability, civil or criminal, that  
 36 otherwise might result by reason of those actions.

37 (2) This section does not provide immunity with respect to acts or omissions of a  
 38 governmental employee except as provided in Title 63, Chapter 30d, Governmental Immunity  
 39 Act of Utah.

40 (3) The immunity described in Subsection (1) does not apply if the person, official, or  
 41 institution:

42 (a) acted or failed to act through fraud or willful misconduct;

43 (b) in a judicial or administrative proceeding, intentionally or knowingly gave, upon a  
 44 lawful oath or in any form allowed by law as a substitute for an oath, false testimony material  
 45 to the issue or matter of inquiry in the proceeding; or

46 (c) intentionally or knowingly:

47 (i) fabricated evidence; or

48 (ii) with a conscious disregard for the rights of others, failed to disclose evidence that:

49 (A) was known to the person, official, or institution; and

50 (B) was known by the person, official, or institution to be relevant to an issue or matter  
 51 of inquiry in a judicial or administrative proceeding.

52 Section 2. Section 63-30d-202 is amended to read:

53 **63-30d-202. Act provisions not construed as admission or denial of liability --**

54 **Effect of waiver of immunity -- Exclusive remedy -- Joinder of employee -- Limitations on**  
 55 **personal liability.**

56 (1) (a) Nothing contained in this chapter, unless specifically provided, may be  
 57 construed as an admission or denial of liability or responsibility by or for a governmental entity  
 58 or its employees.

59 (b) If immunity from suit is waived by this chapter, consent to be sued is granted, and  
 60 liability of the entity shall be determined as if the entity were a private person.

61 (c) No cause of action or basis of liability is created by any waiver of immunity in this  
 62 chapter, nor may any provision of this chapter be construed as imposing strict liability or  
 63 absolute liability.

64 (2) Nothing in this chapter may be construed as adversely affecting any immunity from  
65 suit that a governmental entity or employee may otherwise assert under state or federal law.

66 (3) (a) Except as provided in Subsection (3)(c), an action under this chapter against a  
67 governmental entity for an injury caused by an act or omission that occurs during the  
68 performance of an employee's duties, within the scope of employment, or under color of  
69 authority is a plaintiff's exclusive remedy.

70 (b) Judgment under this chapter against a governmental entity is a complete bar to any  
71 action by the claimant, based upon the same subject matter, against the employee whose act or  
72 omission gave rise to the claim.

73 (c) A plaintiff may not bring or pursue any civil action or proceeding based upon the  
74 same subject matter against the employee or the estate of the employee whose act or omission  
75 gave rise to the claim, unless:

76 (i) the employee acted or failed to act through fraud or willful misconduct;

77 (ii) the injury or damage resulted from the employee driving a vehicle, or being in  
78 actual physical control of a vehicle:

79 (A) with a blood alcohol content equal to or greater by weight than the established  
80 legal limit;

81 (B) while under the influence of alcohol or any drug to a degree that rendered the  
82 person incapable of safely driving the vehicle; or

83 (C) while under the combined influence of alcohol and any drug to a degree that  
84 rendered the person incapable of safely driving the vehicle;

85 (iii) injury or damage resulted from the employee being physically or mentally  
86 impaired so as to be unable to reasonably perform ~~[his or her]~~ the employee's job function  
87 because of:

88 (A) the use of alcohol;

89 (B) the nonprescribed use of a controlled substance as defined in Section 58-37-4; or

90 (C) the combined influence of alcohol and a nonprescribed controlled substance as  
91 defined by Section 58-37-4; ~~[or]~~

92 (iv) in a judicial or administrative proceeding, the employee intentionally or knowingly  
93 gave, upon a lawful oath or in any form allowed by law as a substitute for an oath, false  
94 testimony material to the issue or matter of inquiry under this section[-]; or

- 95           (v) the employee intentionally or knowingly:
- 96           (A) fabricated evidence; or
- 97           (B) with a conscious disregard for the rights of others, failed to disclose evidence that:
- 98           (I) was known to the employee; and
- 99           (II) was known by the employee to be relevant to an issue or matter of inquiry in a
- 100 judicial or administrative proceeding.
- 101           (4) Except as permitted in Subsection (3)(c), no employee may be joined or held
- 102 personally liable for acts or omissions occurring:
- 103           (a) during the performance of the employee's duties;
- 104           (b) within the scope of employment; or
- 105           (c) under color of authority.

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**Legislative Review Note**  
as of 10-4-07 8:52 AM

**Office of Legislative Research and General Counsel**

**CHILD ABUSE AND NEGLECT REGISTRY -  
MANAGEMENT AND LICENSING  
INFORMATION SYSTEMS AMENDMENTS**

2008 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE**

**General Description:**

This bill amends provisions of the Utah Human Services Code and the Juvenile Court Act of 1996 relating to the Management Information System maintained by the Department of Human Services.

**Highlighted Provisions:**

This bill:

- ▶ provides that reports that are found to be without merit and false may not be included in the Management Information System;
- ▶ provides that contract providers for the Division of Child and Family Services and designated court clerks may only have access to reports on the Management Information System that are substantiated or supported;
- ▶ places limitations on the use of certain reports on the Management Information System as evidence in proceedings for child custody, a protection order, or divorce;
- ▶ requires that, when the division or a court makes a finding that a report is without merit, the division or the court must also determine whether the report is false;
- ▶ describes how long a report remains on the Management Information System;
- ▶ provides that proceedings for judicial review of a final agency action relating to a report on the Management Information System are closed to the public;
- ▶ grants rulemaking authority to the Judicial Council to ensure the confidentiality of the proceedings described above; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

32 None

33 **Utah Code Sections Affected:**

34 **AMENDS:**

35 **26-21-9.5**, as last amended by Chapter 43, Laws of Utah 2007

36 **62A-2-121**, as last amended by Chapter 152, Laws of Utah 2007

37 **62A-4a-1003**, as last amended by Laws of Utah 2007, Chapter 152

38 **62A-4a-1008**, as renumbered and amended by Laws of Utah 2006, Chapter 77

39 **62A-4a-1009**, as renumbered and amended by Laws of Utah 2006, Chapter 77

40 **78-3a-104**, as last amended by Laws of Utah 2006, Chapters 55, 132, and 281

41 **78-3a-320**, as last amended by Laws of Utah 2006, Chapter 77

42 **ENACTS:**

43 **62A-4a-1003.5**, Utah Code Annotated 1953



45 *Be it enacted by the Legislature of the state of Utah:*

46 Section 1. Section **26-21-9.5** is amended to read:

47 **26-21-9.5. Criminal background check and Licensing Information System check.**

48 (1) For purposes of this section:

49 (a) "Covered health care facility" means:

50 (i) home health care agencies;

51 (ii) hospices;

52 (iii) nursing care facilities;

53 (iv) assisted-living facilities;

54 (v) small health care facilities; and

55 (vi) end stage renal disease facilities.

56 (b) "Covered person" includes:

57 (i) the following people who provide direct patient care:

58 (A) employees;

59 (B) volunteers; and

60 (C) people under contract with the facility; and

61 (ii) for residential settings, any individual residing in the home where the assisted

62 living or small health care program is to be licensed who:

63 (A) is 18 years of age or older; or

64 (B) is a child between the age of 12 and 17 years of age; however, the identifying  
65 information required for a child between the age of 12 and 17 does not include fingerprints.

66 (2) In addition to the licensing requirements of Sections 26-21-8 and 26-21-9, a  
67 covered health care facility at the time of initial application for a license and license renewal  
68 shall:

69 (a) submit the name and other identifying information of each covered person at the  
70 covered facility who:

71 (i) provides direct care to a patient; and

72 (ii) has been the subject of a criminal background check within the preceding  
73 three-year period by a public or private entity recognized by the department; and

74 (b) submit the name and other identifying information, which may include fingerprints,  
75 of each covered person at the covered facility who has not been the subject of a criminal  
76 background check in accordance with Subsection (1)(a)(ii).

77 (3) (a) The department shall forward the information received under Subsection (2)(b)  
78 to the Criminal Investigations and Technical Services Division of the Department of Public  
79 Safety for processing to determine whether the covered individual has been convicted of any  
80 crime.

81 (b) Except for individuals described in Subsection (1)(b)(ii)(B), if an individual has not  
82 had residency in Utah for the last five years, the individual shall submit fingerprints for an FBI  
83 national criminal history record check. The fingerprints shall be submitted to the FBI through  
84 the Criminal Investigations and Technical Services Division. The individual or licensee is  
85 responsible for the cost of the fingerprinting and national criminal history check.

86 (4) The department may determine whether:

87 (a) an individual whose name and other identifying information has been submitted  
88 pursuant to Subsection (2) and who provides direct care to children is listed in the Licensing  
89 Information System described in Section 62A-4a-1006 or has a substantiated finding by a court  
90 of a severe type of child abuse or neglect under Section 78-3a-320, if identification as a  
91 possible perpetrator of child abuse or neglect is relevant to the employment activities of that  
92 individual;

93 (b) an individual whose name and other identifying information has been submitted

94 pursuant to Subsection (2) and who provides direct care to disabled or elder adults, or who is  
95 residing in a residential home that is a facility licensed to provide direct care to disabled or  
96 elder adults has a substantiated finding of abuse, neglect, or exploitation of a disabled or elder  
97 adult by accessing in accordance with Subsection (5) the database created in Section  
98 62A-3-311.1 if identification as a possible perpetrator of disabled or elder adult abuse, neglect,  
99 or exploitation is relevant to the employment activities or residence of that person; or

100 (c) an individual whose name or other identifying information has been submitted  
101 pursuant to Subsection (2) has been adjudicated in a juvenile court of committing an act which  
102 if committed by an adult would be a felony or a misdemeanor if:

103 (i) the individual is under the age of 28 years; or

104 (ii) the individual is over the age of 28 and has been convicted, has pleaded no contest,  
105 or is currently subject to a plea in abeyance or diversion agreement for any felony or  
106 misdemeanor.

107 (5) (a) The department shall:

108 (i) designate two persons within the department to access:

109 (A) the Licensing Information System described in Section 62A-4a-1006;

110 (B) court records under Subsection 78-3a-320~~(6)~~(7);

111 (C) the database described in Subsection (4)(b); and

112 (D) juvenile court records as permitted by Subsection (4)(c); and

113 (ii) adopt measures to:

114 (A) protect the security of the Licensing Information System, the court records, and the  
115 database; and

116 (B) strictly limit access to the Licensing Information System, the court records, and the  
117 database to those designated under Subsection (5)(a)(i).

118 (b) Those designated under Subsection (5)(a)(i) shall receive training from the  
119 Department of Human Services with respect to:

120 (i) accessing the Licensing Information System, the court records, and the database;

121 (ii) maintaining strict security; and

122 (iii) the criminal provisions in Section 62A-4a-412 for the improper release of  
123 information.

124 (c) Those designated under Subsection (5)(a)(i):

125 (i) are the only ones in the department with the authority to access the Licensing  
126 Information System, the court records, and database; and

127 (ii) may only access the Licensing Information System, the court records, and the  
128 database for the purpose of licensing and in accordance with the provisions of Subsection (4).

129 (6) Within ten days of initially hiring a covered individual, a covered health care  
130 facility shall submit the covered individual's information to the department in accordance with  
131 Subsection (2).

132 (7) The department shall adopt rules under Title 63, Chapter 46a, Utah Administrative  
133 Rulemaking Act, consistent with this chapter, defining the circumstances under which a person  
134 who has been convicted of a criminal offense, or a person described in Subsection (4), may  
135 provide direct care to a patient in a covered health care facility, taking into account the nature  
136 of the criminal conviction or substantiated finding and its relation to patient care.

137 (8) The department may, in accordance with Section 26-1-6, assess reasonable fees for  
138 a criminal background check processed pursuant to this section.

139 (9) The department may inform the covered health care facility of information  
140 discovered under Subsection (4) with respect to a covered individual.

141 (10) A covered health care facility is not civilly liable for submitting information to the  
142 department as required by this section.

143 Section 2. Section **62A-2-121** is amended to read:

144 **62A-2-121. Access to abuse and neglect information.**

145 (1) For purposes of this section:

146 (a) "Direct service worker" is as defined in Section 62A-5-101.

147 (b) "Personal care attendant" is as defined in Section 62A-3-101.

148 (2) With respect to a licensee, a certified local inspector applicant, a direct service  
149 worker, or a personal care attendant, the department may access only the Licensing Information  
150 System of the Division of Child and Family Services created by Section 62A-4a-1006 and  
151 juvenile court records under Subsection 78-3a-320~~(6)~~(7), for the purpose of:

152 (a) (i) determining whether a person associated with a licensee, with direct access to  
153 children:

154 (A) is listed in the Licensing Information System; or

155 (B) has a substantiated finding by a juvenile court of a severe type of child abuse or

156 neglect under Subsections 78-3a-320(1) and (2); and  
157 (ii) informing a licensee that a person associated with the licensee:  
158 (A) is listed in the Licensing Information System; or  
159 (B) has a substantiated finding by a juvenile court of a severe type of child abuse or  
160 neglect under Subsections 78-3a-320(1) and (2);  
161 (b) (i) determining whether a certified local inspector applicant:  
162 (A) is listed in the Licensing Information System; or  
163 (B) has a substantiated finding by a juvenile court of a severe type of child abuse or  
164 neglect under Subsections 78-3a-320(1) and (2); and  
165 (ii) informing a local government that a certified local inspector applicant:  
166 (A) is listed in the Licensing Information System; or  
167 (B) has a substantiated finding by a juvenile court of a severe type of child abuse or  
168 neglect under Subsections 78-3a-320(1) and (2);  
169 (c) (i) determining whether a direct service worker:  
170 (A) is listed in the Licensing Information System; or  
171 (B) has a substantiated finding by a juvenile court of a severe type of child abuse or  
172 neglect under Subsections 78-3a-320(1) and (2); and  
173 (ii) informing a direct service worker or the direct service worker's employer that the  
174 direct service worker:  
175 (A) is listed in the Licensing Information System; or  
176 (B) has a substantiated finding by a juvenile court of a severe type of child abuse or  
177 neglect under Subsections 78-3a-320(1) and (2); or  
178 (d) (i) determining whether a personal care attendant:  
179 (A) is listed in the Licensing Information System; or  
180 (B) has a substantiated finding by a juvenile court of a severe type of child abuse or  
181 neglect under Subsections 78-3a-320(1) and (2); and  
182 (ii) informing a person described in Subsections 62A-3-101(9)(a)(i) through (iv) that a  
183 personal care attendant:  
184 (A) is listed in the Licensing Information System; or  
185 (B) has a substantiated finding by a juvenile court of a severe type of child abuse or  
186 neglect under Subsections 78-3a-320(1) and (2).

187 (3) Notwithstanding Subsection (2), the department may access the Division of Child  
188 and Family Service's Management Information System under Section 62A-4a-1003:

189 (a) for the purpose of licensing and monitoring foster parents; and

190 (b) for the purposes described in Subsection 62A-4a-1003(1)(d).

191 (4) After receiving identifying information for a person under Subsection  
192 62A-2-120(1), the department shall process the information for the purposes described in  
193 Subsection (2).

194 (5) The department shall adopt rules under Title 63, Chapter 46a, Utah Administrative  
195 Rulemaking Act, consistent with this chapter, defining the circumstances under which a person  
196 may have direct access or provide services to children when:

197 (a) the person is listed in the Licensing Information System of the Division of Child  
198 and Family Services created by Section 62A-4a-1006; or

199 (b) juvenile court records show that a court made a substantiated finding under Section  
200 78-3a-320, that the person committed a severe type of child abuse or neglect.

201 Section 3. Section **62A-4a-1003** is amended to read:

202 **62A-4a-1003. Management Information System -- Requirements -- Contents --**  
203 **Purpose -- Access.**

204 (1) (a) The division shall develop and implement a Management Information System  
205 that meets the requirements of this section and the requirements of federal law and regulation.

206 (b) The information and records contained in the Management Information System:

207 (i) are protected records under Title 63, Chapter 2, Government Records Access and  
208 Management Act; and

209 (ii) except as provided in Subsections (1)(c) and (d), are available only to a person with  
210 statutory authorization under Title 63, Chapter 2, Government Records Access and  
211 Management Act, to review the information and records described in this Subsection (1)(b).

212 (c) Notwithstanding Subsection (1)(b)(ii), the information and records described in  
213 Subsection (1)(b) are available to a person:

214 (i) as provided under Subsection [~~(6)~~] (7) or Section 62A-4a-1006; or

215 (ii) who has specific statutory authorization to access the information or records for the  
216 purpose of assisting the state with state and federal requirements to maintain information solely  
217 for the purpose of protecting minors and providing services to families in need.

218 (d) Notwithstanding Subsection (1)(b)(ii), the information and records described in  
219 Subsection (1)(b) may, to the extent required by Title IV-B or IV-E of the Social Security Act,  
220 be provided by the division:

221 (i) to comply with child abuse and neglect registry checks requested by other states;  
222 and

223 (ii) to the United States Department of Health and Human Services for purposes of  
224 maintaining an electronic national registry of substantiated cases of child abuse and neglect.

225 (2) With regard to all child welfare cases, the Management Information System shall  
226 provide each caseworker and the department's office of licensing, exclusively for the purposes  
227 of foster parent licensure and monitoring, with a complete history of each child in that worker's  
228 caseload, including:

229 (a) a record of all past action taken by the division with regard to that child and the  
230 child's siblings;

231 (b) the complete case history and all reports and information in the control or keeping  
232 of the division regarding that child and the child's siblings;

233 (c) the number of times the child has been in the custody of the division;

234 (d) the cumulative period of time the child has been in the custody of the division;

235 (e) except as provided in Subsection (3), a record of all reports of abuse or neglect  
236 received by the division with regard to that child's parent, parents, or guardian including:

237 (i) for each report, documentation of the:

238 (A) latest status; or

239 (B) final outcome or determination; and

240 (ii) information that indicates whether each report was found to be:

241 (A) supported;

242 (B) unsupported;

243 (C) substantiated by a juvenile court;

244 (D) unsubstantiated by a juvenile court; or

245 (E) without merit;

246 (f) the number of times the child's parent or parents failed any child and family plan;

247 and

248 (g) the number of different caseworkers who have been assigned to that child in the

249 past.

250 (3) The Management Information System may not include a report, or any reference to  
251 a report, that is:

252 (a) found by the division to be:

253 (i) without merit; and

254 (ii) false, under Section 62A-4a-1003.5; or

255 (b) found by a court to be:

256 (i) without merit; and

257 (ii) false, under Subsection 78-3a-320(4).

258 ~~[(3)]~~ (4) The ~~[division's]~~ Management Information System shall:

259 (a) contain all key elements of each family's current child and family plan, including:

260 (i) the dates and number of times the plan has been administratively or judicially

261 reviewed;

262 (ii) the number of times the parent or parents have failed that child and family plan;

263 and

264 (iii) the exact length of time the child and family plan has been in effect; and

265 (b) alert caseworkers regarding deadlines for completion of and compliance with

266 policy, including child and family plans.

267 ~~[(4)]~~ (5) With regard to all child protective services cases, the Management

268 Information System shall:

269 (a) monitor the compliance of each case with:

270 (i) division rule and policy;

271 (ii) state law; and

272 (iii) federal law and regulation; and

273 (b) include the age and date of birth of the alleged perpetrator at the time the abuse or

274 neglect is alleged to have occurred, in order to ensure accuracy regarding the identification of

275 the alleged perpetrator.

276 ~~[(5)]~~ (6) Except as provided in Subsection ~~[(6)]~~ (7) regarding contract providers and

277 Section 62A-4a-1006 regarding limited access to the Licensing Information System, all

278 information contained in the division's Management Information System is available to the

279 department, upon the approval of the executive director, on a need-to-know basis.

280           ~~(6)~~ (7) (a) Subject to this Subsection ~~(6)~~ (7), the division may allow its contract  
281 providers, court clerks designated by the Administrative Office of the Courts, and the Office of  
282 the Guardian Ad Litem to have limited access to the Management Information System.

283           (b) A division contract provider has access only to information about a person who is  
284 currently receiving services from that specific contract provider.

285           (c) (i) Designated court clerks may only have access to information necessary to  
286 comply with Subsection 78-3h-102(2).

287           (ii) The Office of the Guardian Ad Litem may access only the information that:

288           (A) relates to children and families where the Office of the Guardian Ad Litem is  
289 appointed by a court to represent the interests of the children; and

290           (B) except as provided in Subsection ~~(6)~~ (7)(d), is entered into the Management  
291 Information System on or after July 1, 2004.

292           (d) Notwithstanding Subsection ~~(6)~~ (7)(c)(ii)(B), the Office of the Guardian Ad Litem  
293 shall have access to all child abuse and neglect referrals about children and families where the  
294 office has been appointed by a court to represent the interests of the children, regardless of the  
295 date that the information is entered into the Management Information System.

296           (e) Each contract provider and designated representative of the Office of the Guardian  
297 Ad Litem who requests access to information contained in the Management Information  
298 System shall:

299           (i) take all necessary precautions to safeguard the security of the information contained  
300 in the Management Information System;

301           (ii) train its employees regarding:

302           (A) requirements for protecting the information contained in the Management  
303 Information System as required by this chapter and under Title 63, Chapter 2, Government  
304 Records Access and Management Act; and

305           (B) the criminal penalties under Sections 62A-4a-412 and 63-2-801 for improper  
306 release of information; and

307           (iii) monitor its employees to ensure that they protect the information contained in the  
308 Management Information System as required by law.

309           (f) The division shall take reasonable precautions to ensure that its contract providers  
310 comply with the requirements of this Subsection ~~(6)~~ (7).

311 (g) The contract providers and designated court clerks described in this Subsection (7)  
312 may not have access to reports, or references to reports, that are found to be unsubstantiated,  
313 unsupported, or without merit.

314 ~~(7)~~ (8) The division shall take all necessary precautions, including password  
315 protection and other appropriate and available technological techniques, to prevent  
316 unauthorized access to or release of information contained in the Management Information  
317 System.

318 (9) Reports that are unsubstantiated, unsupported, or without merit may not be  
319 admitted as evidence, or relied upon, in a trial or proceeding for child custody, a protection  
320 order, or divorce, for the purpose of establishing the truth of the incident asserted in the report.

321 Section 4. Section **62A-4a-1003.5** is enacted to read:

322 **62A-4a-1003.5. Report without merit -- additional finding.**

323 If the division finds that a report is without merit, the division shall make an additional  
324 finding regarding whether the report is false.

325 Section 5. Section **62A-4a-1008** is amended to read:

326 **62A-4a-1008. Timeframes for deletion of specified information or reports.**

327 ~~[(1) Unless the executive director determines that there is good cause for keeping a~~  
328 ~~report of abuse or neglect in the Management Information System, based on standards~~  
329 ~~established by rule, the division shall delete any reference to:]~~

330 ~~[(a) a report that is without merit, if no subsequent report involving the same alleged~~  
331 ~~perpetrator has occurred within one year; or]~~

332 ~~[(b) a report that is determined by a court of competent jurisdiction to be~~  
333 ~~unsubstantiated or without merit, if no subsequent report involving the same alleged~~  
334 ~~perpetrator has occurred within five years;]~~

335 (1) Except as provided in Subsection (3) or (4), the division shall delete from the  
336 Management Information System a report that is unsubstantiated or unsupported;

337 (a) after the report has been on the Management Information system for three years,  
338 unless the alleged perpetrator is listed on the Management Information System as the  
339 perpetrator in a previous substantiated or supported report; or

340 (b) after the report has been on the Management Information System for five years, if  
341 the alleged perpetrator is listed on the Management Information System as the perpetrator in a

342 previous substantiated or supported report.

343 (2) Except as provided in Subsection (3), (4), or 62A-4a-1003(3), the division shall  
344 delete from the Management Information System a report that is without merit after the report  
345 has been on the Management Information system one year.

346 (3) The time periods described in Subsections (1) and (2) shall start over, beginning on  
347 the day that a subsequent report is placed on the Management Information System, if:

348 (a) the alleged perpetrator in the subsequent report is the same as the alleged  
349 perpetrator in the report described in Subsection (1) or (2); and

350 (b) the subsequent report is found to be:

351 (i) supported;

352 (ii) unsupported;

353 (iii) substantiated;

354 (iv) unsubstantiated; or

355 (v) without merit, unless the report is:

356 (A) found by the division to be false, under Section 62A-4a-1003.5; or

357 (B) found by a court to be false, under Subsection 78-3a-320(4).

358 (4) (a) Except for a report described in Subsection 62A-4a-1003(3), a report described  
359 in this section may not be deleted, unless otherwise ordered by a court, if the executive director  
360 determines, based on standards established by rule, that there is good cause for keeping the  
361 report in the Management Information System.

362 (b) A court may order the division to delete a report before the time periods described  
363 in this section, if the court finds, by clear and convincing evidence, that it is in the interests of  
364 justice to order deletion of the report at an earlier time.

365 (5) When the division deletes a report under this section, the division shall also delete  
366 all references to the report, and information contained in the report, from the Management  
367 Information System.

368 ~~[(6)]~~ (6) (a) The division shall maintain a separation of reports as follows:

369 (i) those that are supported;

370 (ii) those that are unsupported;

371 (iii) those that are without merit;

372 (iv) those that are unsubstantiated under the law in effect prior to May 6, 2002;

373 (v) those that are substantiated under the law in effect prior to May 6, 2002; and

374 (vi) those that are consented-to supported findings under Subsection

375 62A-4a-1005(3)(a)(iii).

376 (b) Only persons with statutory authority [~~have~~] may access [~~to~~] the information

377 contained in any of the reports identified in Subsection [~~(2)~~] (6)(a).

378 Section 6. Section **62A-4a-1009** is amended to read:

379 **62A-4a-1009. Notice and opportunity to challenge supported finding in**

380 **Management Information System -- Right of judicial review.**

381 (1) (a) Except as provided in Subsection (2), the division shall send a notice of agency  
382 action to a person with respect to whom the division makes a supported finding. In addition, if  
383 the alleged perpetrator is under the age of 18, the division shall:

384 (i) make reasonable efforts to identify the alleged perpetrator's parent or guardian; and

385 (ii) send a notice to each parent or guardian identified under Subsection (1)(a)(i) that  
386 lives at a different address, unless there is good cause, as defined by rule, for not sending a  
387 notice to a parent or guardian.

388 (b) Nothing in this section may be construed as affecting:

389 (i) the manner in which the division conducts an investigation; or

390 (ii) the use or effect, in any other setting, of a supported finding by the division at the  
391 completion of an investigation for any purpose other than for notification under Subsection (1)  
392 (a).

393 (2) Subsection (1) does not apply to a person who has been served with notice under  
394 Subsection 62A-4a-1005(1)(a).

395 (3) The notice described in Subsection (1) shall state:

396 (a) that the division has conducted an investigation regarding alleged child abuse,  
397 neglect, or dependency;

398 (b) that the division has made a supported finding of abuse, neglect, or dependency;

399 (c) that facts gathered by the division support the supported finding;

400 (d) that the person has the right to request:

401 (i) a copy of the report; and

402 (ii) an opportunity to challenge the supported finding by the division; and

403 (e) that failure to request an opportunity to challenge the supported finding within 30

404 days of receiving the notice will result in an unappealable supported finding of child abuse,  
405 neglect, or dependency unless the person can show good cause for why compliance within the  
406 30-day requirement was virtually impossible or unreasonably burdensome.

407 (4) (a) A person may make a request to challenge a supported finding within 30 days of  
408 a notice being received under this section.

409 (b) Upon receipt of a request under Subsection (4)(a), the Office of Administrative  
410 Hearings shall hold an adjudicative proceeding pursuant to Title 63, Chapter 46b,  
411 Administrative Procedures Act.

412 (5) (a) In an adjudicative proceeding held pursuant to this section, the division shall  
413 have the burden of proving, by a preponderance of the evidence, that child abuse, neglect, or  
414 dependency occurred and that the alleged perpetrator was substantially responsible for the  
415 abuse or neglect that occurred.

416 (b) Any party shall have the right of judicial review of final agency action, in  
417 accordance with Title 63, Chapter 46b, Administrative Procedures Act.

418 (c) Proceedings for judicial review of a final agency action under this section shall be  
419 closed to the public.

420 (d) The Judicial Council shall make rules that ensure the confidentiality of the  
421 proceedings described in Subsection (5)(c) and the records related to the proceedings.

422 (6) Except as otherwise provided in this chapter, an alleged perpetrator who, after  
423 receiving notice, fails to challenge a supported finding in accordance with this section:

424 (a) may not further challenge the finding; and

425 (b) shall have no right to:

426 (i) agency review of the finding;

427 (ii) an adjudicative hearing on the finding; or

428 (iii) judicial review of the finding.

429 (7) (a) Except as provided in Subsection (7)(b), an alleged perpetrator may not make a  
430 request under Subsection (4) to challenge a supported finding if a court of competent  
431 jurisdiction entered a finding, in a proceeding in which the alleged perpetrator was a party, that  
432 the alleged perpetrator is substantially responsible for the abuse, neglect, or dependency which  
433 was also the subject of the supported finding.

434 (b) Subsection (7)(a) does not apply to pleas in abeyance or diversion agreements.

435 (c) An adjudicative proceeding under Subsection (5) may be stayed during the time a  
436 judicial action on the same matter is pending.

437 (8) Pursuant to Section 78-3a 320, an adjudicative proceeding on a supported finding of  
438 a type of abuse or neglect that does not constitute a severe type of child abuse or neglect may  
439 be joined in the juvenile court with an adjudicative proceeding on a supported finding of a  
440 severe type of child abuse or neglect.

441 Section 7. Section **78-3a-104** is amended to read:

442 **78-3a-104. Jurisdiction of juvenile court -- Original -- Exclusive.**

443 (1) Except as otherwise provided by law, the juvenile court has exclusive original  
444 jurisdiction in proceedings concerning:

445 (a) a child who has violated any federal, state, or local law or municipal ordinance or a  
446 person younger than 21 years of age who has violated any law or ordinance before becoming  
447 18 years of age, regardless of where the violation occurred, excluding traffic laws and boating  
448 and ordinances;

449 (b) a person 21 years of age or older who has failed or refused to comply with an order  
450 of the juvenile court to pay a fine or restitution, if the order was imposed prior to the person's  
451 21st birthday; however, the continuing jurisdiction is limited to causing compliance with  
452 existing orders;

453 (c) a child who is an abused child, neglected child, or dependent child, as those terms  
454 are defined in Section 78-3a-103;

455 (d) a protective order for a child pursuant to the provisions of Title 78, Chapter 3h,  
456 Child Protective Orders, which the juvenile court may transfer to the district court if the  
457 juvenile court has entered an ex parte protective order and finds that:

458 (i) the petitioner and the respondent are the natural parent, adoptive parent, or step  
459 parent of the child who is the object of the petition;

460 (ii) the district court has a petition pending or an order related to custody or parent-time  
461 entered under Title 30, Chapter 3, Divorce, Title 30, Chapter 6, Cohabitant Abuse Act, or Title  
462 78, Chapter 45g, Utah Uniform Parentage Act, in which the petitioner and the respondent are  
463 parties; and

464 (iii) the best interests of the child will be better served in the district court;

465 (e) appointment of a guardian of the person or other guardian of a minor who comes

- 466 within the court's jurisdiction under other provisions of this section;
- 467 (f) the emancipation of a minor in accordance with Part 10, Emancipation;
- 468 (g) the termination of the legal parent-child relationship in accordance with Part 4,  
469 Termination of Parental Rights Act, including termination of residual parental rights and  
470 duties;
- 471 (h) the treatment or commitment of a mentally retarded minor;
- 472 (i) a minor who is a habitual truant from school;
- 473 (j) the judicial consent to the marriage of a child under age 16 upon a determination of  
474 voluntariness or where otherwise required by law, employment, or enlistment of a child when  
475 consent is required by law;
- 476 (k) any parent or parents of a child committed to a secure youth corrections facility, to  
477 order, at the discretion of the court and on the recommendation of a secure facility, the parent  
478 or parents of a child committed to a secure facility for a custodial term, to undergo group  
479 rehabilitation therapy under the direction of a secure facility therapist, who has supervision of  
480 that parent's or parents' child, or any other therapist the court may direct, for a period directed  
481 by the court as recommended by a secure facility;
- 482 (l) a minor under Title 55, Chapter 12, Interstate Compact for Juveniles;
- 483 (m) the treatment or commitment of a mentally ill child. The court may commit a child  
484 to the physical custody of a local mental health authority in accordance with the procedures and  
485 requirements of Title 62A, Chapter 15, Part 7, Commitment of Persons Under Age 18 to  
486 Division of Substance Abuse and Mental Health. The court may not commit a child directly to  
487 the Utah State Hospital;
- 488 (n) the commitment of a child in accordance with Section 62A-15-301;
- 489 (o) de novo review of final agency actions resulting from an informal adjudicative  
490 proceeding as provided in Section 63-46b-15; and
- 491 (p) adoptions conducted in accordance with the procedures described in Title 78,  
492 Chapter 30, Adoption, when the juvenile court has previously entered an order terminating the  
493 rights of a parent and finds that adoption is in the best interest of the child.
- 494 (2) In addition to the provisions of Subsection (1)(a) the juvenile court has exclusive  
495 jurisdiction over any traffic or boating offense committed by a person under 16 years of age  
496 and concurrent jurisdiction over all other traffic or boating offenses committed by a person 16

497 years of age or older, except that the court shall have exclusive jurisdiction over the following  
498 offenses committed by a child:

499 (a) Section 76-5-207, automobile homicide;

500 (b) Section 41-6a-502, operating a vehicle while under the influence of alcohol or  
501 drugs;

502 (c) Section 41-6a-528, reckless driving or Section 73-18-12, reckless operation;

503 (d) Section 41-1a-1314, unauthorized control over a motor vehicle, trailer, or  
504 semitrailer for an extended period of time; and

505 (e) Section 41-6a-210 or 73-18-20, fleeing a peace officer.

506 (3) The court also has jurisdiction over traffic and boating offenses that are part of a  
507 single criminal episode filed in a petition that contains an offense over which the court has  
508 jurisdiction.

509 (4) The juvenile court has jurisdiction over an ungovernable or runaway child who is  
510 referred to it by the Division of Child and Family Services or by public or private agencies that  
511 contract with the division to provide services to that child where, despite earnest and persistent  
512 efforts by the division or agency, the child has demonstrated that the child:

513 (a) is beyond the control of the child's parent, guardian, lawful custodian, or school  
514 authorities to the extent that the child's behavior or condition endangers the child's own welfare  
515 or the welfare of others; or

516 (b) has run away from home.

517 (5) This section does not restrict the right of access to the juvenile court by private  
518 agencies or other persons.

519 (6) The juvenile court has jurisdiction of all magistrate functions relative to cases  
520 arising under Section 78-3a-602.

521 (7) The juvenile court has jurisdiction to make a finding of substantiated,  
522 unsubstantiated, [or] without merit, or false in accordance with Section 78-3a-320.

523 Section 8. Section **78-3a-320** is amended to read:

524 **78-3a-320. Additional finding at adjudication hearing -- Petition -- Court records.**

525 (1) Upon the filing with the court of a petition under Section 78-3a-305 by the Division  
526 of Child and Family Services or any interested person informing the court, among other things,  
527 that the division has made a supported finding that a person committed a severe type of child

528 abuse or neglect as defined in Section 62A-4a-1002, the court shall:

- 529 (a) make a finding of substantiated, unsubstantiated, or without merit;  
 530 (b) include the finding described in Subsection (1)(a) in a written order; and  
 531 (c) deliver a certified copy of the order described in Subsection (1)(b) to the division.

532 (2) ~~[The]~~ A judicial finding under ~~[Subsection]~~ Subsections (1), (3), and (4) shall be  
 533 made:

- 534 (a) as part of the adjudication hearing;  
 535 (b) at the conclusion of the adjudication hearing; or  
 536 (c) as part of a court order entered pursuant to a written stipulation of the parties.

537 (3) (a) Any person described in Subsection 62A-4a-1010(1) may at any time file with  
 538 the court a petition for removal of the person's name from the Licensing Information System.

- 539 (b) At the conclusion of the hearing on the petition, the court shall:  
 540 (i) make a finding of substantiated, unsubstantiated, or without merit;  
 541 (ii) include the finding described in Subsection (1)(a) in a written order; and  
 542 (iii) deliver a certified copy of the order described in Subsection (1)(b) to the division.

543 (4) (a) If the court makes a finding of without merit under Subsection (1) or (3)(b), the  
 544 court shall:

- 545 (i) make an additional finding regarding whether the report is false; and  
 546 (ii) include the finding described in Subsection (4)(a)(i) in the orders described in  
 547 Subsections (1)(b) and (3)(b)(ii).

548 (b) The finding described in Subsection (4)(a)(i) shall be made solely for the purpose  
 549 of determining, under Subsection 62A-4a-1003(3), whether the report upon which the finding  
 550 is based, or any reference to the report, will be included in the Management Information  
 551 System.

552 ~~[(4)]~~ (5) A proceeding for adjudication of a supported finding under this section of a  
 553 type of abuse or neglect that does not constitute a severe type of child abuse or neglect may be  
 554 joined in the juvenile court with an adjudication of a severe type of child abuse or neglect.

555 ~~[(5)]~~ (6) If a person whose name appears on the Licensing Information system prior to  
 556 May 6, 2002 files a petition during the time that an alleged perpetrator's application for  
 557 clearance to work with children or vulnerable adults is pending, the court shall hear the matter  
 558 and enter a final decision no later than 60 days after the filing of the petition.

559            ~~[(6)]~~ (7) For the purposes of licensing under Sections 26-21-9.5, 26-39-105.5,  
560 62A-1-118, and for the purposes described in Section 62A-2-121:

561            (a) the court shall make available records of its findings under Subsections (1) and (2)  
562 for licensing purposes, only to those with statutory authority to access also the Licensing  
563 Information System created under Section 62A-4a-1006; and

564            (b) any appellate court shall make available court records of appeals from juvenile  
565 court decisions under Subsections (1)[, (2), (3), and (4)] through (5) for licensing purposes,  
566 only to those with statutory authority to access also the Licensing Information System.



OFFICE OF  
CHILD PROTECTION  
OMBUDSMAN (OCPO)



ANNUAL REPORT  
FY 2007

STATE OF UTAH  
DEPARTMENT OF HUMAN SERVICES

[ocpo.utah.gov](http://ocpo.utah.gov)

It is the *vision* of OCPO that through  
its involvement with individuals having  
concerns about the Division of Child and Family  
Services, OCPO will promote *fair resolution*,  
effect changes that will improve the  
*quality of services* provided to the  
children and families of Utah, and build bridges with  
child welfare partners to *effectively work*  
*for children*.

## INTRODUCTION:

The Utah Office of Child Protection Ombudsman is an independent voice for children and families in Utah. The Ombudsman's Office was created in 1996 and placed into Utah Statute in 1998, giving authority for this Office to investigate consumer complaints regarding the Division of Child and Family Services. Since the creation of the Ombudsman's Office, the staff has worked to establish an office that can adequately represent citizens of Utah in addressing constituent concerns and/or complaints regarding services provided by Child and Family Services.

The Ombudsman's Office staff is knowledgeable regarding Utah Law pertaining to child welfare, as well as Child and Family Services Practice Guidelines. The staff utilizes this knowledge to educate complainants and the general public as to the role and function of the Ombudsman's Office, Utah Law, and Child and Family Services. The Ombudsman's Office staff assists complainants to effectively communicate concerns to Child and Family Services or the appropriate agency, as well as understand the information being communicated to the complainant by Child and Family Services or other agencies. In addition to the statutory authority to investigate complaints, the Ombudsman's Office serves as a resource to the public by providing information regarding community services, the child welfare system, and other agencies.

As necessary, the Ombudsman's Office investigates complaints to determine whether DCFS, with regard to a particular child, acted in accordance with Utah law and DCFS Practice Guidelines. The Ombudsman's Office may not be able to provide the complainant's desired outcome in response to each complaint filed; however, every complaint reported to the Ombudsman's Office receives objective and thorough consideration. For example, if a complainant indicated that the removal of a child from the parent was illegal, the Ombudsman's Office would provide information to the complainant as to the legal process involved when a child is removed from the parent's custody. The Ombudsman's Office would try to determine if the complainant had additional concerns. Should additional concerns be identified, such as the parent was not receiving visitation or that the child had a medical need Child and Family Services was not meeting, the Ombudsman's Office would process those concerns through the intake protocol.

Although the Ombudsman's Office is small, the well-qualified staff offers a high standard of service to both the individual consumer and to Child and Family Services. Anecdotally, the Ombudsman's Office receives compliments from constituents such as the following: "Thank you again for your help. You work miracles for children!"; "Thank you...for everything, "; "Without your help, these children's needs and safety would still be a concern for us. We appreciate all the time and effort you took to look into our concerns and to let us know what was happening so we didn't have to worry!"; "Thank you for listening to me when I called your office. The information you gave me was very helpful and for the first time, I felt I had been heard. I appreciate you validating my concerns and conducting an investigation to make sure that the DCFS caseworker was doing her job!"; "Even though your office couldn't take any action, I really appreciated you talking with me and telling me that I could call back in the future if I had any questions or concerns."; and, "I wish I had known about the Ombudsman's Office a long time ago. Why isn't there more information about your office so people who have problems with DCFS can contact you?"

The Ombudsman's Office is pleased to outline the highlights of Fiscal Year 2007.

## HISTORY AND STATUTORY AUTHORITY:

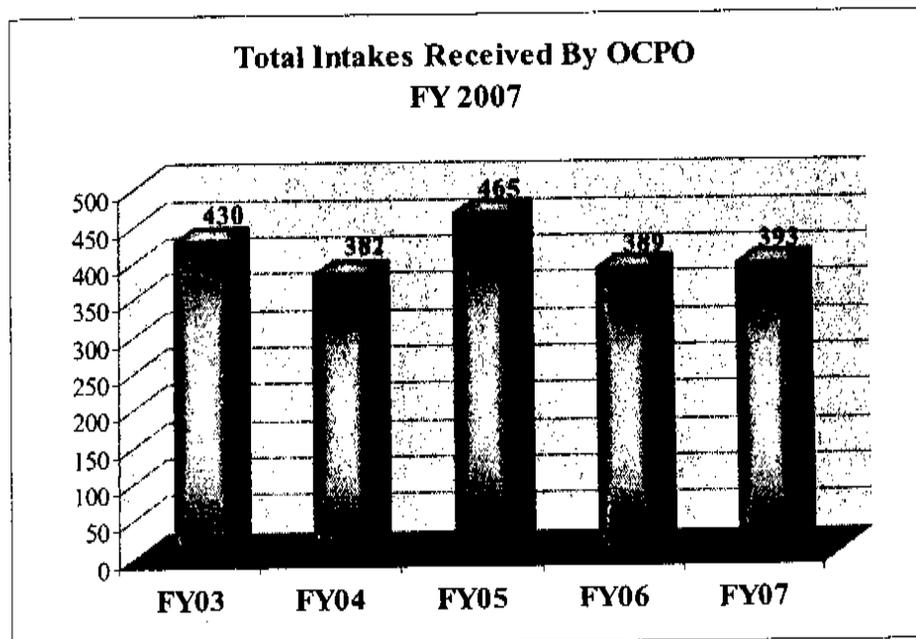
In January 1996, the Executive Director of the Department of Human Services created the Ombudsman's Office, independent from Child and Family Services, where individuals could report concerns about cases under Child and Family Services' jurisdiction. The purpose of the Ombudsman's Office is to receive and investigate complaints to ensure that Child and Family Services is providing adequate services to their clients.

In 1998, the Utah Legislature codified the role and authority of the Ombudsman's Office by enacting Section 62A-4a-208 of Utah Code, which states:

*"...the ombudsman shall, upon receipt of a complaint from any person, investigate whether an act or omission of the division with respect to a particular child: (i) is contrary to statute, rule, or policy; (ii) places a child's health or safety at risk; (iii) is made without an adequate statement of reason; or (iv) is based on irrelevant, immaterial, or erroneous grounds..."*

## INTAKE COMPLAINT PROCESS

In FY2007, the Ombudsman's Office processed 393 complaints through the intake process. When a referral is received, the Ombudsman's Office evaluates the information to determine whether the case is within the Ombudsman's statutory responsibility. For example, if a complainant did not have a specific concern about Child and Family Services but expressed concerns about a child that might be abused or neglected, the Ombudsman's Office would refer the complainant to Child Protective Services Intake but would not accept the concern as an Ombudsman complaint. If a complainant expressed concerns that the Child and Family Services caseworker had not convened a Child and Family Team Meeting and the parent was unable to have visitation with their child, the Ombudsman's Office would accept these concerns as a complaint.

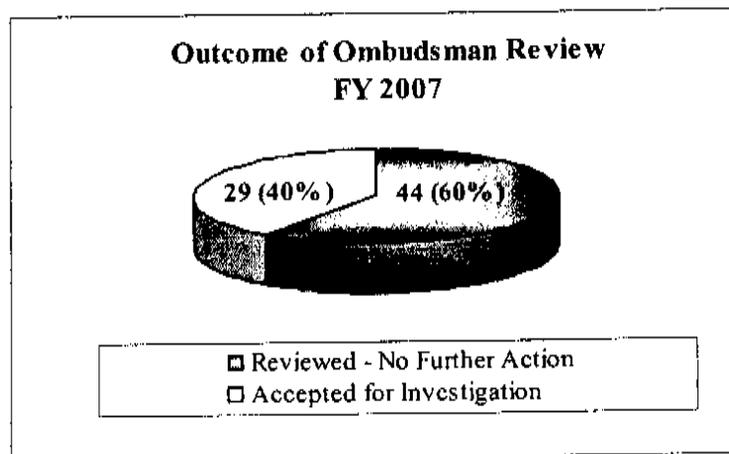


As appropriate, the Ombudsman's Office refers a complaint to Child and Family Services and requests a response or allows Child and Family Services the opportunity to address the concern at the lowest level possible. During FY2007, the Ombudsman's Office referred 161 (41%) of the 393 complaints to Child and Family Services.

If a complainant is not satisfied with the response from Child and Family Services, the complainant is unwilling to work with Child and Family Services, or if the Ombudsman's Office is particularly concerned about an issue, the Ombudsman's Office may proceed with an Ombudsman Review or accept the case for investigation.

An Ombudsman Review is conducted by the Deputy Ombudsman or an Assistant Ombudsman, and may be opened for review at any point during the intake process. An Ombudsman Review may begin immediately upon receipt of a complaint, or after Child and Family Services has been given the opportunity to address the concern. The purpose of conducting an Ombudsman Review is to determine the appropriate action to be taken by the Ombudsman's Office in response to a complainant's concern. The Ombudsman's Office may decide that no further action is warranted, refer the complainant to another agency, or accept the case for an investigation. An Ombudsman Review includes accessing and reviewing case information maintained in Child and Family Services' management information system, requesting additional information directly from Child and Family Services, and reviewing all relevant information provided to the Ombudsman's Office by the complainant and/or other parties. For example, if the Ombudsman's Office reviews a DCFS response with the complainant and the complainant remains dissatisfied that Child and Family Services took appropriate action to address their concerns, that case would be accepted for an Ombudsman's Review. The Ombudsman's Office would review the Child and Family Services management information system to determine if the complainant concerns had validity. Should the review reveal that the complainant appeared to have valid concerns; the case may be accepted for investigation. Another example of a time when an investigation would be opened instead of undergoing an Ombudsman's Review, would occur when the complainant had provided a copy of the Child and Family Services record they had previously obtained and upon review it was noted that obvious violations of Practice Guidelines and/or Utah law had occurred, such as, a child victim had not been interviewed; a child had made a disclosure of an incident of abuse or neglect that had not previously been reported, but the caseworker had not taken any action; or, the caseworker had failed to proceed with an Interstate Compact for the Placement of Children when court ordered.

During FY2007, the Ombudsman's Office conducted 73 Ombudsman Reviews. The Ombudsman's Office determined that no further action was needed in 44 (60%) of the cases. The Ombudsman's Office determined that 29 (40%) cases required further review and were therefore accepted for investigation. Not every case accepted for investigation is opened for an Ombudsman's Review.



## INVESTIGATIONS

During FY2007, the Ombudsman's Office completed 49 investigations involving Child and Family Services. An investigation may contain multiple concerns. The Ombudsman's Office investigates to determine the validity of every individual concern reported by a complainant. In addition to investigating complainant concerns, the Ombudsman's Office may identify additional concerns or oversights made by Child and Family Services.

The 49 investigations completed in FY2007 encompassed 289 individual concerns. Of these 289 concerns that were investigated, 155 (54%) of the concerns were reported to the Ombudsman's Office by a complainant, and 134 (46%) were identified by the Ombudsman's Office (Chart 1).

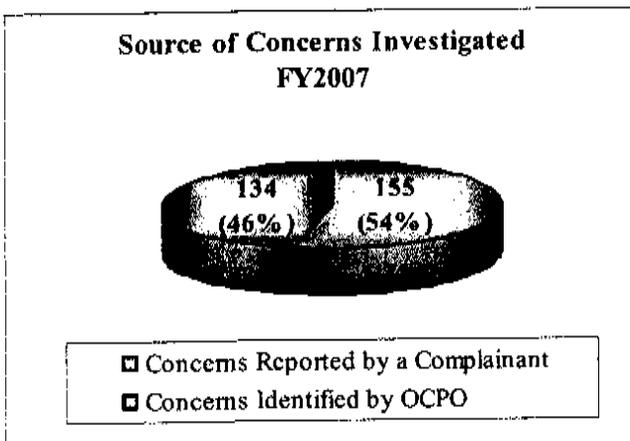


Chart 1

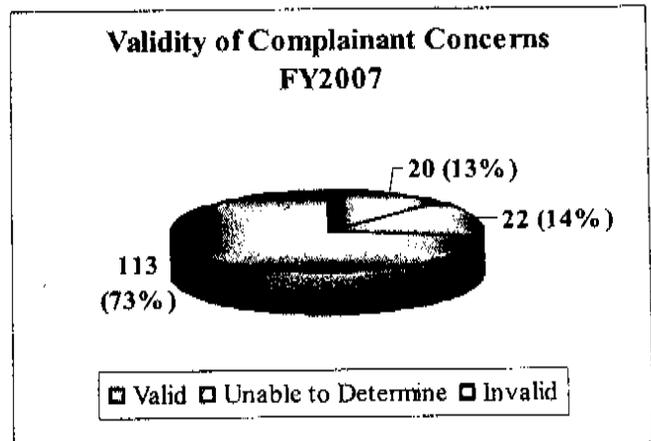
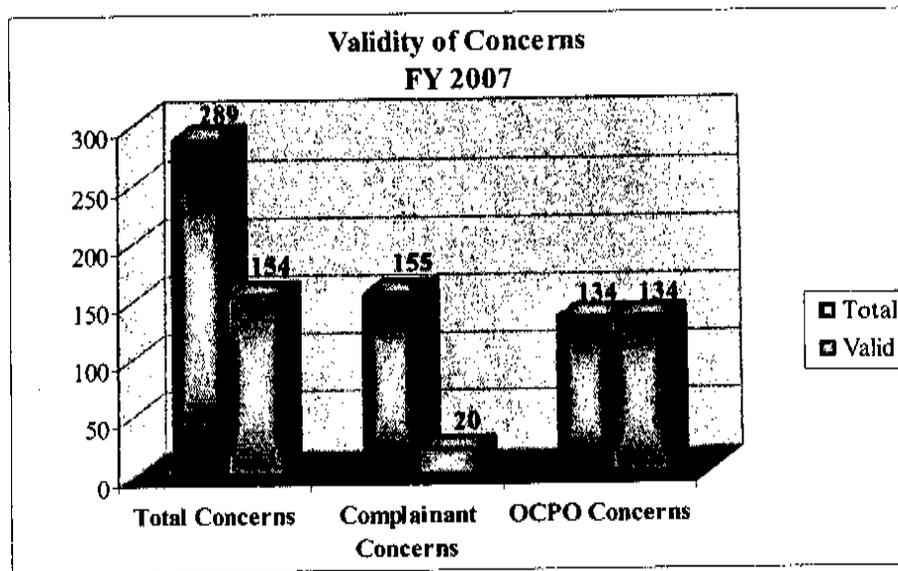


Chart 2

Of the 155 concerns reported to the Ombudsman's Office by the complainant, the Ombudsman's Office found 20 (13%) of the complainant concerns to be valid, and 113 (73%) to be invalid. The Ombudsman's Office was unable to determine the validity of 22 (14%) complainant concerns (Chart 2). The 134 concerns identified by the Ombudsman's Office were valid.

Overall, the Ombudsman's Office found 154 (53%) of the 289 concerns investigated during FY2007 to be valid. The 154 valid concerns are comprised of the valid concerns reported by the complainant (20) and valid concerns identified by the Ombudsman's Office (134).

When the Ombudsman's Office discovers and addresses a DCFS Practice Guideline violation that impacts the case being reviewed, the concern is documented as a valid concern. For example, if the Ombudsman's Office did not find documentation that the parents of the child had been contacted and interviewed about child abuse or neglect allegations, this would be a violation of a Practice Guideline. Other examples are: the caseworker did not conduct visits with a child while in an out-of-home placement; the child did not receive mental health treatment, if appropriate; the caseworker failed to initiate a court ordered service, etc. The Ombudsman's Office may identify a single concern or multiple concerns in each case where the Ombudsman's Office could determine that the caseworker was not in compliance and/or the caseworker had not documented an activity that would place the caseworker within compliance of the appropriate DCFS Practice Guideline.



During FY2007, the Ombudsman’s Office conducted an additional two investigations in which the Ombudsman’s Office reviewed the casework of Sipapu Associates, the agency contracted by the Department of Human Services to conduct conflict of interest Child Protective Services investigations. Although these investigations were outside the statutory authority of the Ombudsman’s Office, the investigations were conducted with Administrative approval. The case findings were reported to the contract monitor, and the Ombudsman’s Office made recommendations to Sipapu Associates and the contract monitor for improved casework in the future.

## RECOMMENDATIONS

In FY2007, the Ombudsman’s Office found 154 concerns to be valid. The Ombudsman’s Office did not make a recommendation for every valid concern, and made multiple recommendations for some valid concerns; therefore, the number of valid concerns and recommendations does not match. The Ombudsman’s Office made a total of 136 recommendations to Child and Family Services during FY2007. These 136 recommendations are comprised of the following:

- 80 individual concerns resulted in 80 individual recommendations.
- To address 36 valid concerns, the Ombudsman’s Office made only 5 recommendations. These 5 recommendations were that DCFS review the 36 concerns and determine the appropriate action at the regional level.
- To address 18 valid concerns, the Ombudsman’s Office made multiple recommendations for each concern. These 18 concerns resulted in 51 individual recommendations.

Child and Family Services took appropriate action to address 20 valid concerns during the Ombudsman’s Office involvement, thus eliminating the need for the Ombudsman’s Office to make a recommendation.

The 136 recommendations included 79 recommendations that Child and Family Services take action to address the concerns. For example, some of the Ombudsman's Office recommendations made are:

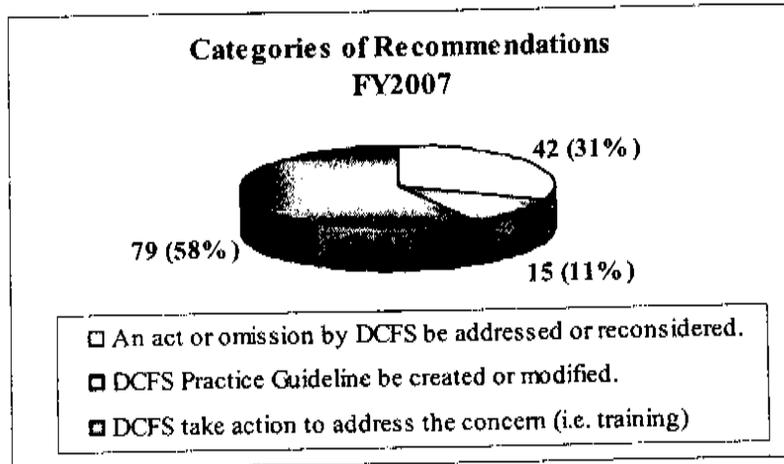
- The caseworker to convene a Child and Family Team Meeting to address issues of visitation;
- The caseworker to add documentation that was previously inadequate or missing to ensure the case record contained essential information;
- The caseworker conduct an assessment of the child's immediate health or safety needs;
- Child and Family Services link all cases listed under the names of the mother and each child in SAFE [information management system] to ensure that when a case is opened in SAFE all cases appear and can be reviewed;
- If detailed information is located in a document that is not contained in SAFE, the caseworker reference in the activity logs where additional information can be located;
- If it is determined that the alleged physical abuse of the female child by the step-grandmother was not adequately investigated, the allegation be opened for investigation;
- If it is determined that the current case finding should stand, the caseworker document th basis for the decision; and,
- In the future that the caseworker determine the potential need for safety or protection when there is information that the alleged perpetrator resides in the same home of the child and take appropriate action by contacting the child and making an immediate assessment.

The Ombudsman's Office made 42 recommendations that an act or omission by Child and Family Services be addressed or reconsidered. For example, the following recommendations were made:

- Child and Family Services review the case to determine if the case finding was based on findings obtained throughout the investigation. If it is determined the finding was made in error, it is recommended that Child and Family Services correct the database to reflect the amended finding;
- The closure statement on the Child Protective Services Investigation be amended to reflect that the finding to Child Endangerment is based on the fact that the mother admitted to using drugs in the presence of the child;
- Timely action be taken to determine the current status of the Protective Services Supervision petition and initiate services for the family;
- The infant residing in the home be included in any services provided in the home;
- Activity logs regarding unrelated children be removed from the foster care case;
- If the caseworker completed activities on the case during the identified time period and has reliable notes on what occurred, the information be added to the activity logs in the Protective Services Supervision case; and,
- In the future, the caseworker take the appropriate steps to conduct Child Protective Services cases within the 30 day time frame, and that the caseworker does not permit excessive periods of time to pass prior to closing the case.

The Ombudsman's Office made 15 recommendations that Child and Family Services create or modify a Practice Guideline. For example, the Ombudsman's Office recommended the following:

- Child and Family Services Administration consider developing a definition of "Chronic Physical Abuse" to Practice Guideline definitions;
- Child and Family Services Administration review the process that is currently in place for tracking and completing orders of the Office of Administrative Hearing and the juvenile court to amend Child and Family Services findings;
- The Government Records Access and Management Act specialist and her supervisor immediately take action to determine if the letter being issued to complainants, along with the waiver, is in compliance with statute; and,
- The senior caseworker assistant obtain clarification from Child and Family Services State Administration prior to issuing the letter and waiver to any further constituents.







State of Utah

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

Department of Administrative Services

KIMBERLY K. HOOD  
*Executive Director*

MARVIN L. DODGE  
*Deputy Director*

October 1, 2007

Honorable Jon M. Huntsman, Jr.  
Governor, State of Utah  
State Capitol Complex, Suite F220  
Salt Lake City, UT 84114-2220

and

Child Welfare Legislative Oversight Panel  
Utah State Capitol Complex  
House Building, Suite W210  
Salt Lake City, UT 84114-5210

RE: Office of Child Welfare Parental Defense Annual Report

I hereby submit the Annual Report of the Office of Child Welfare Parental Defense as required by UCA 63A-11-106. The duties, functions and responsibilities of the office include:

- Providing assistance and advice to parental defense attorneys;
- Developing and providing educational and training programs for parental defense attorneys;
- Providing information and advice to assist parental defense attorneys to comply with their professional, contractual, and ethical duties.

The Child Welfare Parental Defense Oversight Committee (Oversight Committee) was reconvened in January 2007 in order to advise the Office of Child Welfare Parental Defense and the Parental Defense Alliance of Utah (PDA) on issues related to: training and education of parental defense attorneys, overall work plan and activities, and financial spending and budget allocations. The Oversight Committee meets on a quarterly basis and has met three times in 2007. The final meeting for the calendar year is scheduled for October 10, 2007.

In August 2007, the contract requiring the PDA to fulfill the duties of the Office of Child Welfare Parental Defense was renewed and extended for an additional two years. Renewal and extension was permitted under the terms of the contract. Renewal and extension was supported by the Oversight Committee.

It should be noted that the new contract allows for limited financial assistance to be extended to parental defendants who have been found by the court to be indigent. Upon application by an indigent parental defendant, the PDA may procure expert witness services, paralegal services on appeal, and court transcripts for appeals. Each service is subject to certain monetary limits.

In fulfilling its obligations under the contract and meeting the responsibilities of the Office of Child Welfare Parental Defense, the PDA has done the following:

1. Produced and facilitated a two-day conference for parental defense attorneys attended by 100 registered guests, primarily parental defense attorneys. Conference attendees received 13 hours of continuing legal education, including 1.5 hours of ethics training. The conference was well received with 94% of survey respondents rating the conference as either "good" or "excellent." Additionally, 84% of the respondents found the conference relevant to their practice.
2. Conducted training seminar on motivational interviewing whereby clients are asked to make positive changes in their lives with the hope that such changes will result in more favorable outcomes as they negotiate the legal process. The PDA also held a luncheon for attorneys where the topic of discussion was navigating the unique aspects of Juvenile Court successfully. The material provided was designed for use by both beginning and more advanced practitioners.
3. Continued efforts to find experts that defense counsel may need in the course of a case.
4. Launched a privately maintained website. Content continues to be uploaded and the website has reached a stage where the PDA can begin to derive statistics on "hits" to the site.
5. Provided copies of the Practice Guidelines to judges and continues to provide same to parental defenders who request it. The PDA continues to answer questions regarding the use of the guidelines in day-to-day situations.
6. Continues to confer with, and act as a resource for parental defense attorneys in Utah. Assistance ranged from providing sample interrogatories to discussing potential legal courses of action and their underlying legal authority, and providing information about the Child Welfare Ombudsman, as well as, Family Advocates.
7. Continues to provide valuable information to parental defenders via e-bulletins and newsletters. Attorneys receive information on community resources, use of family advocates, legislative and legal updates, news items relevant to representing parents, as well as, practice tips.
8. Expenditures under the contract between the Department of Administrative Services and the PDA have again been used as an "in kind match" for a federal grant submitted by the Court Improvement Project for court training programs.

The Department of Administrative Services continues to evaluate the effectiveness of this program. It is the Department's objective to continue to provide effective training to parental defense attorneys. For its part, the PDA is in the process of soliciting practitioners for ideas about the conference curriculum, and is attempting to create educational and training programs which we believe will help make the office more effective in fulfilling its statutory responsibilities.

Sincerely,

A handwritten signature in cursive script, appearing to read "Salvador D. Petilos".

Salvador D. Petilos  
Program Administrator  
Office of Child Welfare Parental Defense





Chief Justice Christine C.  
Durham  
Chairperson, Utah Judicial  
Council

September 28, 2007

Daniel J. Becker  
State Court Administrator  
Myron K. March  
Deputy Court Administrator

Senator Dan R. Eastman, Chair  
Child Welfare Legislative Oversight Panel  
Utah State Senate Office  
W115 State Capitol Complex  
Salt Lake City, Utah 84114

Representative Steven Mascaro, Chair  
Child Welfare Legislative Oversight Panel  
Utah House of Representatives Office  
W30 State Capitol Complex  
Salt Lake City, Utah 84114

Dear Senator Eastman and Representative Mascaro:

The Juvenile Court submits this report on the timely occurrence of child welfare proceedings and the reasons for delay pursuant to Utah Code Ann. § 62A-4a-207 (2001). The Courts are pleased to report continued improvement in compliance in the areas of timely adjudication and holding timely permanency hearings for children who are in out of home care.

While you will note some variations in the whole numbers represented by the Juvenile Court and the Attorney General based on methodological differences, the percentages of hearings meeting the statutory timelines is consistent across most categories.

We have appreciated this opportunity to share information with the Panel and look forward to continued dialogue in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray Wahl", is written over a horizontal line.

Ray Wahl  
Juvenile Court Administrator

✓ cc: Mark Andrews w/encl.

The mission of the Utah judiciary is to provide the people an open, fair,  
efficient, and independent system for the advancement of justice under the law.

450 South State Street / P.O. Box 140241 / Salt Lake City, Utah 84114-0241 / 801-578-3600 / Fax: 801-578-3843



# **Child Welfare Statutory Time Requirements Report**

September 28, 2007

Administrative Office of the Courts  
P. O. Box 140241  
450 South State Street  
Salt Lake City, Utah 84114-0241  
(801) 578-3800



## I. Timely Permanency for Children and Families

As provided by Utah Code Ann. § 62A-4a-207 (2001), the Utah State Courts submit this sixth annual report to the Child Welfare Legislative Oversight Panel on the judicial processing of child welfare cases.

Utah's child protection legislation (Utah Code Ann. § 78-3a-101 et seq.) is designed to effect timely permanency for children and to protect the rights of all parties in the courtroom. Utah Code Ann. § 78-3a-312 requires that efforts be made to place a child in a safe, permanent home in no less than twelve months when a child must be removed from the home. Towards this ultimate goal, the Child Welfare Act poses timelines for significant events in child welfare cases, such as pretrial and adjudication hearings;<sup>1</sup> dispositional hearings and reunification services;<sup>2</sup> and permanency hearings and petitions for termination.<sup>3</sup> The statute makes clear that adherence to these significant events is the responsibility of all system participants, not the least of which is the judiciary.

Utah's Juvenile Court has maintained its focus on compliance with statutory timelines. Compliance with time frames in the categories of 'removal to shelter hearing' and 'shelter hearing to pretrial' remained consistently high this year. Improvements were noted in the timeliness of adjudication and permanency hearings.

Additional resources continue to be expended in dealing with statutory requirements concerning warrants. Beginning May 1, 2006, new provisions were legislated through S. B. 7 to provide for a hearing prior to removal of a child in certain situations. By statute, these hearings require notice to parents and must be held within 72 hours of the filing of a Motion for Expedited Placement in Temporary Custody. While the hearings require additional court resources, they replace requests for warrants or removals without a warrant where appropriate. The Juvenile Court also continues to receive a substantial number of filings seeking Protective Services Supervision ("PSS"). In PSS cases, families receive court-ordered services from the Division of Child and Family Services while the children remain in their homes or the home of a relative who is not a licensed foster care provider. PSS filings require expedited treatment following legislation which became effective in May 2003. PSS cases must be set for pretrial in 15 days and for an adjudication trial in 60 days. In some districts, attorneys filing petitions seeking PSS services are requesting expedited hearings at the earliest possible date, rather than waiting to schedule a pretrial hearing within 15 days.

## II. Data

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<sup>1</sup> Utah Code Ann. § 78-3a-308

<sup>2</sup> Utah Code Ann. § 78-3a-311

<sup>3</sup> Utah Code Ann. § 78-3a-312

The data in this report consists of all new cases that entered the court system via a shelter hearing between October 1, 2006 and September 27, 2007 (*see* Juvenile Child Welfare Time Standards Report, attached). Included in this report are any cases that were previously active cases at some stage of the proceedings and had a subsequent hearing during that time frame. Also included for the fourth year is information regarding cases that entered the court system via the filing of a PSS petition as defined above.

These percentages demonstrate not only that court events in most child welfare cases occur in the expedited fashion contemplated by the statute, but that the courts are hearing some events in an even more timely basis than last year. Please note that not all of the timelines for all events have lapsed in a one year snapshot. Some cases may have just been entered as of September 27, 2007, the last reporting day. This report does not track individual cases from start to finish, but rather reports on all court events scheduled within a one-year time frame.

### **Pretrial and Adjudication Hearings (78-3a-308)**

*(1) Upon the filing of a petition, the clerk of the court shall set the pretrial hearing on the petition within 15 calendar days from the date of the shelter hearing. (2) The pretrial may be continued upon motion of any party, for good cause shown, but the final adjudication hearing shall be held no later than 60 calendar days from the date of the shelter hearing.*

The Child Welfare Act provides that pretrial hearings take place within 15 days of the shelter hearing, though a continuance may be granted for good cause shown. Of 1078 pretrial hearings, 93% occurred within 15 days. This percentage has remained consistent over the last four years.

Adjudication of the petition must take place within 60 days of the shelter hearing. Of 792 adjudication hearings, 96% were held within the requirement. This reflects a 3 percentage point increase since last year.

### **Dispositional Hearings and Reunification Services (78-3a-310, 311)**

Pursuant to 78-3a-310(2), a dispositional hearing *"shall be held no later than 30 calendar days after the date of the adjudication hearing."* In most cases, dispositional orders are entered at the adjudication hearing. Of 873 dispositional hearings, 95% occurred within the 30 day requirement. This percentage reflects a 1% point increase from last year's report.

***78-3a-311(f)(iii) If reunification services have not been ordered, a permanency hearing shall be conducted within 30 days, in accordance with Section 78-3a-312.***

Of the 81 no reunification to permanency proceedings conducted by the court, 83% were held within 30 days of the no reunification decision. This represents an 11% decrease over last year. Of the 14 cases that were non-compliant, the most significant reason for delay was that a decision was made to extend reunification services to only one parent. For example, a decision could be

made not to extend reunification services to a father who was adjudicated as severely abusive or had abandoned the child. The mother, however, was appropriate to receive court-ordered services toward reunification and was given the full statutory period to work toward reunification. In these cases, the permanency hearing was extended beyond the 30 day period to afford the mother a full opportunity for reunification.

### **Permanency Hearings and Petitions for Termination (78-3a-312)**

*(1) (a) When reunification services have been ordered in accordance with Section 78-3a-311, with regard to a child who is in the custody of the Division of Child and Family Services, a permanency hearing shall be held by the court no later than 12 months after the original removal of the child.*

Utah's child protection legislation imposes two standards for permanency: one for children over 36 months of age, and a requirement for children 36 months or younger, to promote expedited permanency for children in the formative stages.

Of the 380 children over 36 months of age, 96% had permanency hearings within twelve months of removal, a 6 percentage point increase over last year.

Of the 240 children under 36 months of age, 85% had permanency hearings within 8 months of removal. This measure increased three percentage points from last year and five percentage points over the last two years.

*(5) If the final plan for the child is to proceed toward termination of parental rights, the petition for termination of parental rights shall be filed, and a pretrial held, within 45 calendar days after the permanency hearing.*

The courts rely on counsel for the timely filing of these documents, although the courts have a duty to supervise proceedings in their courtroom. In 183 proceedings, a petition was filed to terminate parental rights. Thirty-nine percent of petitions were filed and a pre-trial scheduled within 45 calendar days. This reflects a 5% percentage point decrease from last year. Timeliness in this measure continues to be an area of concern and focus for the judiciary and other stakeholders. Delay in this area may be attributed both to the timeliness of counsels' ability to file the petition as well as the court's calendar. It may also be due to a general reluctance to petition for termination of parental rights if a child is not already placed in a home likely to result in adoption. In some cases in which a petition is not immediately filed, the court calendars a review for 45 days after the permanency hearing instead of a pre-trial. While the petition is ultimately filed and the hearing type recorded as a pre-trial, this data entry may not be reflected on the tracking report. This is a data quality issue on which the court's will continue to educate personnel.

*(8)(c) A decision on the petition for termination of parental rights shall be made within 18 months from the date of the child's removal.*

Of the 153 termination proceedings heard by the court, 87% met the requirement, a 5% decrease from last year's report. Timeliness in this area is also reliant on both the court and counsel. After the court renders a decision, the court requires the prevailing party to submit a proposed order to the court for signature. In some cases, submission of the written order was the cause for delay. In other cases, delay is caused by the court's calendar and the ability to schedule a trial on the termination petition.

### **Protective Services Supervision Petitions ("PSS") 78-3a-308**

- (1) Upon the filing of a petition, the clerk of the court shall set the pretrial hearing on the petition within 15 calendar days from the later of: (a) the date of the shelter hearing; or (b) the filing of the petition.***
  
- (2) The pretrial may be continued upon motion of any party, for good cause shown, but the final adjudication hearing shall be held no later than 60 calendar days from the later of: (a) the date of the shelter hearing; or (b) the filing of the petition.***

The statutory guidelines do not require the judiciary to report information regarding the timeliness of PSS cases. However, due to the dramatic growth in PSS petition filings, this information has been included in this report beginning in 2004. During the current reporting period, 1436 PSS petitions were filed compared to 1267 in 2004 and just 578 in 2003. Of the 1436 PSS petitions filed, pre-trial hearings were held within 15 days of filing in 94% of the cases, a 3 percentage point decrease over last year. However, pre-trial hearings were held in 100% of the cases within an additional 15 days (30 days from filing of the petition).

During the current reporting period, 887 PSS cases were tracked from filing to adjudication, compared to 363 cases in 2003. Of the 887 cases reported, 98% received the required adjudication hearing within 60 days, a 2 percentage point increase over last year.

### **III. Reasons for Delay**

The Juvenile Court continues to refine methods for tracking case loads and reasons for delay. One of the most common reasons for delay continues to be overloaded court dockets. While this factor stabilized somewhat in the last two years, the Court have seen a trend toward growth in scheduling related delays in the past three years. Court calendar was reported as the cause of delay in 35% of the cases in 2004, dropping to 26% in 2005, but rebounding to 36% in 2006 and 35% this year. The August 2007 caseload report to Utah's Judicial Council on juvenile court workloads reflects that child welfare cases make up only 8% of the cases referred to juvenile court, but require 57% of the judges' time.

Delay categories related to counsel and parties experienced very little change this year, including a one percent or less change in the following categories: Mediation (5%), Counsel Unavailable (7%), Change of Counsel (1%), Unable to Locate Party (8%), Unable to Transport from Jail (2%), Unable to Serve Party (2%), and Counsel or Party Failed to Appear (1%). Collectively these categories represented 30% of the total reasons for delay.

In 35% of the cases tracked, "Other" was selected as a reason for delay. While decreasing 7 percentage points last year, this category rebounded by 7 percentage points this year. As demonstrated by the attached detail sheet for "Other" reasons for delay, a variety of scenarios are involved. These must, at times, be handled on a case by case basis. Reasons in the "Other" category are as diverse as the need to locate one of the parents (typically the father), allowing time to properly comply with requirements of the Indian Child Welfare Act ("ICWA") and tribal notification, the need for case transfers between districts, or because all parties agree that a continuation is necessary under the unique circumstances of a case.

#### IV. Strategies to Track and Reduce Delay

Utah's Juvenile Court has maintained its focus on compliance with statutory timeframes and delay reduction. The eight judicial districts continue to work on delay-reduction strategies put into place in 2002-2003. Stakeholders continue to meet periodically to improve communication, to evaluate progress, and to refine strategies.

Delay Reduction Teams created in each district are known as the "Tables of 6" or "Local Tables." The district teams receive guidance and support from the statewide "Table of 6." Each judicial district formed statewide teams comprised of, at a minimum, a judge, court personnel, an Assistant Attorney General, defense attorneys, a Guardian ad litem, and a DCFS staff representative. This model has allowed information and quality improvement efforts to travel up and down the chain of command through the state. These efforts prove especially valuable in areas experiencing growth in referrals to juvenile court in the area of abuse, neglect and dependency matters and the added workload created by the addition of statutory procedures for Motions for Expedited Placement in Temporary Custody.

**Appellate Child Welfare Reforms.** As reported in previous years, the Courts have continued to fine tune the expedited child welfare appeal process reported in past years. Following the passage of S.B. 179, Expedited Appeals in Child Welfare Cases, during the 2004 General Session, the time to complete a child welfare appeal has improved significantly. Even cases requiring the issuance of a full written opinion have seen significant reduction in time to issuance. The median number of days from appeal filing to issuance of an opinion has decreased from 505 days in FY 2002 to just 317 days in FY 2007. Similarly, the median number of days from filing to issuance of a memorandum decision decreased from 395 days in FY 2002 to just 232 days in FY 2007.

**Juvenile Management Information System-CARE.** In November, 2005, the Juvenile Court launched its new Juvenile Management Information System. The Courts and Agencies Records Exchange (CARE) provides for improved availability of and access to delinquency and child welfare information. The Courts' CARE User Group is in the process of refining and enhancing the CARE system and building additional management reports. Currently, court staff are working on enhancements to automate the collection of information on compliance with time standards outlined in this report. At the present time, data is collected manually by court clerks, an undertaking which represents substantial time and effort. Recognizing the benefit that this

information has provided the Courts, the Courts look forward to automating this process through the CARE system. While significant progress toward automation has been realized this year, roll out of the automated time standards report is still several months away due to programming needs.

## V. Recommendations

The Juvenile Court is committed to continued assessment of court practices and achieved outcomes. The judiciary does not act alone in ensuring timely permanency for children and continues its commitments and efforts to work together with the many stakeholders who share this responsibility. Pursuant to Utah Code Ann. 62a-4a-207(e) and (f), the Juvenile Court respectfully makes the following recommendation:

- The Fourth District Juvenile Court has experiencing growth in referrals, including dependency/neglect/abuse filings. The FY 2007 Caseload Report demonstrates that juvenile referrals overall in the Fourth District have increased by 12%, including a 15% increase in child welfare referrals. The most recent Judicial Weighted Workload Report estimates a judicial need of 5.2 judges in the Fourth District Juvenile Court, which is currently served by only 4 juvenile judges. The Judicial Council has considered this trend along side of a 15% increase in cases referred to the Fourth District Court. To alleviate the increased demand on judicial resources in this area, the Judicial Council plans to advance a request for an additional commissioner position in the Fourth District. The commissioner position would be shared equally between the Fourth District Court and the Fourth District Juvenile Court. Providing this additional resource will help to ensure continued progress by the juvenile court in meeting its statutory obligations to children and families.

The Judiciary thanks the Panel for this opportunity to report and share information on the efforts of Utah's Juvenile Court to ensure timely permanency for children. As always, legislative representatives are welcome to observe dependency proceedings to gain a better understanding of the child welfare process. The Juvenile Court encourages all legislators to take advantage of this opportunity to observe juvenile court practice first hand. Ray Wahl, Juvenile Court Administrator, or Katie Gregory, Assistant Juvenile Court Administrator are happy to facilitate such attendance and to supply any additional information that the Panel may require.

## Juvenile Child Welfare Time Standards Reports

Juvenile Child Welfare Time Standards Reports | [Statewide Summary Report](#) | [Reason Summary](#) | [Detailed Reason Summary](#) | [Log Off](#)

Choose Judicial District

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Start Month: 10 ▾ Start Year: 2006 ▾

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### Compliance Summary for all Judicial Districts

fact	compliance	case count	compliant	non-compliant	percent compliant	within 3 days	within 15 days	within 30 days
'removal' to 'notice to parties'	1 days	754	739	15	98%	99%	99%	100%
'removal' to 'shelter hearing'	3 days	1307	1232	75	94%	98%	99%	100%
'shelter hearing' to 'shelter hearing cont.'	5 days	228	196	32	86%	92%	98%	98%
'shelter hearing' to 'pretrial'	15 days	1078	998	80	93%	96%	99%	100%
'shelter hearing' to 'pretrial cont.'	60 days	774	705	69	91%	92%	93%	94%
'shelter hearing' to 'adjudication'	60 days	792	760	32	96%	96%	97%	98%
'adjudication' to 'disposition'	30 days	873	826	47	95%	96%	99%	99%
'no reunification' to 'permanency hearing'	30 days	81	67	14	83%	83%	86%	86%
'removal' to 'permanency hearing'	12 months	380	363	17	96%	96%	97%	97%
'removal' to 'permanency hearing' children younger than 36 months	8 months	240	205	35	85%	89%	93%	94%
'permanency hearing' to 'termination pretrial'	45 days	183	71	112	39%	39%	47%	52%
'removal' to 'decision on petition to terminate'	18 months	153	133	20	87%	87%	88%	92%
'removal' to 'six month review'	6 months	368	334	34	91%	92%	96%	98%
'PSS petition filing' to 'pre-trial'	15 days	1436	1355	81	94%	98%	100%	100%

'PSS petition filing' to 'adjudication'	60 days	887	873	14	98%	99%	99%	99%
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## Juvenile Child Welfare Time Standards Reports

Juvenile Child Welfare Time Standards Reports | [Statewide Summary Report](#) | [Reason Summary](#) | [Detailed Reason Summary](#) | [Log Off](#).

Choose Judicial District - All - ▾

Start Month: 10 ▾ Start Year: 2006 ▾

End Month: 9 ▾ End Year: 2007 ▾

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646 reasons have been entered. There are still 31 that haven't been entered.

### Reason Summary for all Judicial Districts

reason	count	Percentage
Court Calendar	<u>226</u>	35%
Motion to Continue, Filed By:	<u>25</u>	4%
Witness Unavailable	<u>1</u>	0%
Counsel Unavailable	<u>47</u>	7%
Change of Counsel	<u>6</u>	1%
Unable to Serve Party	<u>11</u>	2%
Unable to Locate Party	<u>53</u>	8%
Unable to Transport from Jail	<u>10</u>	2%
Counsel or Party Failed to Appear	<u>8</u>	1%
Mediation	<u>33</u>	5%
Other	<u>226</u>	35%

Please submit questions or comments about this site to: [info@email.utcourts.gov](mailto:info@email.utcourts.gov)

## Juvenile Child Welfare Time Standards Reports

Juvenile Child Welfare Time Standards Reports | Statewide Summary Report | Reason Summary | Detailed Reason Summary | Log Off.

Case Number	Reason	Note
<a href="#">129341</a>	Other	ICWA shelter hearing---additional time needed to notify tribe of shelter hearing for tribal representatives to be present.
<a href="#">131556</a>	Other	Unknown
<a href="#">134003</a>	Other	Court was given notice of removal on Thursday, 7/12/07. The Sheleter was scheduled as first case on Monday morning.
<a href="#">135694</a>	Other	Shelter hearing continued on the basis that the AG was unsure a petition would be filed. 12/19/06: AG will not be filing a petition at this time
<a href="#">137963</a>	Other	Motion for Contiuance
<a href="#">145636</a>	Other	DCFS did not request date until now
<a href="#">152281</a>	Other	unable to locate uncle and ags asked for continuance
<a href="#">157902</a>	Other	delinquency
<a href="#">158334</a>	Other	new shelter
<a href="#">159825</a>	Other	Unknown as information is being updated.
<a href="#">163786</a>	Other	parties concurred with ext of time
<a href="#">179094</a>	Other	The mother had been lying to the DCFS caseworker regarding employment and services completed. Mother was not employed (mother forged letter on company letterhead) and had not completed any services.
<a href="#">430661</a>	Other	DCFS requested this the same time as review
<a href="#">431734</a>	Other	AG working with parents
<a href="#">431962</a>	Other	Unknown reason as case was originally filed in Beaver
<a href="#">432263</a>	Other	Parties went to mediation. Minor wanted to be adopted by foster parents. Both parents voluntarily relinquished their rights.
<a href="#">432263</a>	Other	Parties went to mediation. Minor wanted to be adopted by her foster parents. Both parents voluntarily relinquished their rights.
<a href="#">437714</a>	Other	specific shelter hearing date was requested by AG's office
<a href="#">438665</a>	Other	05/04/07 New shelter hearing
<a href="#">439764</a>	Other	Court was given notice of removal on Thursday, 7/12/07. The Sheleter was scheduled as first case on

		Monday morning.
<u>443594</u>	Other	Parents failed to appear for hearings, warrants issued, parties wished to proceed to trial. Resolution to petition finally reached.
<u>443594</u>	Other	parents no-showed for court, had warrants issued. Mediations scheduled, parents not willing to admit to allegations in petition.
<u>449955</u>	Other	Unknown. Contact AG's office.
<u>450279</u>	Other	permanency was extended until the hearing date of 1/24/07. an evidentiary hearing/termination pre-trial was requested as parties could not come to an agreement regarding permanency goals.
<u>451517</u>	Other	New shelter removed on 03/01/2007
<u>456000</u>	Other	continued pretrial before assigned Judge on 10/18/06
<u>457103</u>	Other	continued pretrial before assigned Judge
<u>458190</u>	Other	Court was given notice of removal on Thursday, 7/12/07. The Sheleter was scheduled as first case on Monday morning.
<u>459770</u>	Other	...r dates are missing. Will update as I have time. me
<u>460513</u>	Other	mom had reunification services terminated, then given back and extended and finally vol relinquished her parental rights on 5-15-07
<u>460780</u>	Other	
<u>461379</u>	Other	The Assistant Attorney General did not file a termination petition with the court until March 8, 2007
<u>461380</u>	Other	The Assistant Attorney General did not file a petition to terminate until 03-08-2007
<u>462703</u>	Other	Judge retired; new judge on line; court calendar
<u>464622</u>	Other	Parents voluntarily Terminated Parental Rights
<u>464622</u>	Other	Parents voluntarily terminated parental rights
<u>464622</u>	Other	Sibling placed in custody from PSS about 5 months after ; permanency held for him w/sibling
<u>464622</u>	Other	Sibling placed in custody from PSS about 5 months after ; permanency offset and held for him w/sibling
<u>464623</u>	Other	Parents voluntarily relinquished their parental rights at a review
<u>465264</u>	Other	... were not listed in the original termination petition as their reunification goal was individualized permanency. The parents voluntarily relinquished rights to these 2 children, along with the other 4 listed in the termination petition.
<u>466866</u>	Other	parties agreed to date
<u>466869</u>	Other	permanency was extended until the hearing date of 1/24/07. an evidentiary hearing/termination pre-trial was requested as parties could not come to an

		agreement regarding permanency goals.
<u>466870</u>	Other	permanency was extended until the hearing date of 1/24/07. an evidentiary hearing/termination pre-trial was requested as parties could not come to an agreement regarding permanency goals.
<u>466871</u>	Other	permanency was extended until the hearing date of 1/24/07. an evidentiary hearing/termination pre-trial was requested as parties could not come to an agreement regarding permanency goals.
<u>468478</u>	Other	Judge was sick
<u>468479</u>	Other	Judge was Sick
<u>468814</u>	Other	No reunification for mother. Permanency hearing for father.
<u>470077</u>	Other	Matter set for evidentiary hearing and this took several months to finish
<u>470079</u>	Other	evidentiary hearing took too many days to complete
<u>470214</u>	Other	as reunification services were discontinued and then re-instated and then discontinued and terminated. permancy ext for 90 days & hen pet to term.parental righs was filed. father's pat was established later.
<u>470214</u>	Other	shelter to pretrial on mother was in compliance. This is the father's portion of the pet to terminate his rights, only, after his paternity was established!
<u>470215</u>	Other	due to reunif. services term, then extended and then term. and pet to term parent rights filed and tried
<u>470217</u>	Other	due to termin of reunif. services and then contd services and then petition o term. parental right filed.
<u>470217</u>	Other	hrg moved up at parties request
<u>472223</u>	Other	... were not listed in the original termination petiton as their reunification goal was individualized permanency. The parents voluntarily relinquished rights to these 2 children, along with the other 4 listed in the termination petition.
<u>473056</u>	Other	The mother had been in the District Court's drug program and tested positive and was not doing well. The mother voluntarily relinquished her rights in court.
<u>474110</u>	Other	New Judge
<u>474289</u>	Other	DCFS did not request date until now
<u>474676</u>	Other	On 9-20-06 an extended permanency hearing date was requested by defense. State requested evidentiary as there was no stipulation in the permanency plan. Termination petition was filed 12-18-06 and permanency/termination are being dealt with
<u>474677</u>	Other	On 9-20-06 an extended permanency hearing date was requested by defense. State requested evidentiary as there was no stipulation in the permanency plan. Termination petition was filed 12-18-06 and permanency/termination are being dealt with

<u>474677</u>	Other	Petition denied, mediation set, set for trial & resolved. Parties in this petition were not parents & no services were provided to the parties.
<u>474684</u>	Other	Permanency was extended as parties were making substantial progress. Child was placed back into DCFS custody and at extended permanency hearing, reunification services were terminated.
<u>474808</u>	Other	Thanksgiving Holiday
<u>474808</u>	Other	Thanksgiving Holiday
<u>500861</u>	Other	Parents voluntarily relinquished on 1/9/07, after the permanency hearing and the child was placed back with mom on a trial home placement
<u>500994</u>	Other	unknown. contact AG's office.
<u>501212</u>	Other	First termination petition submitted on 09/28/2006 by AAG [redacted], AAG [redacted] withdrew said petition on 11/08/2006. AAG [redacted] submitted a second termination petition on 06/28/2007 resulting in fathers relinquishment on 07/12/2007
<u>501212</u>	Other	First termination petition submitted on 09/28/2006 by AAG [redacted], AAG [redacted] withdrew said petition on 11/08/2006.
<u>501213</u>	Other	First termination petition submitted on 09/28/2006 by AAG [redacted], AAG [redacted] withdrew said petition on 11/08/2006. AAG [redacted] submitted a second termination petition on 06/28/2007
<u>501213</u>	Other	First termination petition submitted on 09/28/2006 by AAG [redacted], AAG [redacted] withdrew said petition on 11/08/2006. AAG [redacted] submitted a second termination petition on 06/28/2007 resulting in fathers relinquishment on 07/12/2007
<u>501917</u>	Other	AG working with parents
<u>502083</u>	Other	Hearings are set according to the request of the AG. Contact the AG's office to find out why permanency was not set before 8 months. If the sister is older than 3 and they were using the 1 year permanency date. ME.
<u>502110</u>	Other	father not transported for the hearing so it needed to be reset
<u>502164</u>	Other	DCFS continued to try to work with family
<u>502344</u>	Other	permanency was extended until the hearing date of 1/24/07. an evidentiary hearing/termination pre-trial was requested as parties could not come to an agreement regarding permanency goals.
<u>502347</u>	Other	permanency was extended until the hearing date of 1/24/07. an evidentiary hearing/termination pre-trial was requested as parties could not come to an agreement regarding permanency goals.
<u>502524</u>	Other	Voluntary Relinquishment
<u>502712</u>	Other	Contact AG
<u>502935</u>	Other	Judge retired; new judge appointed; court calendar

<u>503491</u>	Other	mother was doing well and then things turned and she is no longer doing well. State filed a motion to terminate rights.
<u>503596</u>	Other	parties agree to extra time
<u>504039</u>	Other	DCFS was working with parents
<u>504561</u>	Other	This is when the AG requested that the permanency hearing be set
<u>504634</u>	Other	AG working with parents
<u>505132</u>	Other	services extended to mother.
<u>505185</u>	Other	Judge retired; new judge appointed; court calendar
<u>505647</u>	Other	different petition
<u>505807</u>	Other	mother was doing well and then things turned and she is no longer doing well. State filed a motion to terminate rights.
<u>506098</u>	Other	Unknown
<u>506430</u>	Other	mother was doing well and then things turned and she is no longer doing well. State filed a motion to terminate rights.
<u>506432</u>	Other	mother was doing well and then things turned and she is no longer doing well. State filed a motion to terminate rights.
<u>506684</u>	Other	permanency was extended until the hearing date of 1/24/07. an evidentiary hearing/termination pre-trial was requested as parties could not come to an agreement regarding permanency goals.
<u>506686</u>	Other	permanency was extended until the hearing date of 1/24/07. an evidentiary hearing/termination pre-trial was requested as parties could not come to an agreement regarding permanency goals.
<u>506715</u>	Other	The parties stipulate to mediation and pretrial for termination being set for 01/24/2007
<u>508049</u>	Other	Mother relapsed. Currently in jail on Robbery charges and possession. Reunification terminated.
<u>508050</u>	Other	Mother relapsed and failed drug court. Currently in jail on Robbery and possession charges. Reunification terminated.
<u>508051</u>	Other	Mother relapsed and failed drug court. Currently in jail on robbery and possession charges. Reunification terminated
<u>508383</u>	Other	waiting on Judge's response
<u>508783</u>	Other	Incident 001 was the shelter hearing. Incident 002 was the charge.
<u>508783</u>	Other	The pretrial was set within 15 days of the filing of the Verified Petition to Terminate Parental rights, which was not filed by the Assistant Attorney General until 01-10-2007.
<u>508785</u>	Other	The Verified Petition to Terminate Parental Rights was set within 15 days of the filing of the petition

		which was not filed by the Assistant Attorney General until 01-10-2007
<u>508788</u>	Other	The Verified Petition to Terminate Parental Rights was set within 15 days of filing of the petition which was not filed by the Assistant Attorney General until 01-10-2007.
<u>509044</u>	Other	purported father was not able to be located. After he was located, requested genetic testing to determine paternity.
<u>509366</u>	Other	working on independent living skills; court calendar and availability of all parties
<u>509801</u>	Other	Reset numerous times; partly by request of defense counsel.
<u>511717</u>	Other	other dates are not there. I will update as I have time. ME
<u>511733</u>	Other	no reunification on mother, but there is reunification on father and that is why it was contd to may of 2007
<u>512509</u>	Other	Judge retired; new judge appointed
<u>512762</u>	Other	Thanksgiving Holiday
<u>512762</u>	Other	Thanksgiving Holiday
<u>512778</u>	Other	as requested by parties
<u>512778</u>	Other	parties requested a two month review hearing so the permanency hearing should have been changed to a review hearing.
<u>512878</u>	Other	No actual shelter hearing was held.
<u>512879</u>	Other	
<u>513447</u>	Other	Date judge set
<u>513447</u>	Other	date judge set
<u>513449</u>	Other	date judge set
<u>513450</u>	Other	date set by judge
<u>513458</u>	Other	date set by judge
<u>513532</u>	Other	children ret'd to custody of the father at the shelter hearing
<u>513533</u>	Other	children ret'd to father at the shelter hearing
<u>513900</u>	Other	disposition as to mother continued until after adjudication as to father
<u>514515</u>	Other	I'm not sure, it's just taking a long time, father is in prison and stalling for time to get out.
<u>514645</u>	Other	3/13/2007 judge found substantial compliance and extended permanency date for 90 days
<u>515079</u>	Other	waiting for DNA paternity test results
<u>515869</u>	Other	reunification services terminated on 5-3-07 termination petition filed 6-7-07 ptcontd to 7-12-07
<u>515871</u>	Other	reunification services terminated on 5-3-07

		termination pet filed 6-7-07 pt contd to 7-12-07
<u>515872</u>	Other	reunification services terminated on 5-3-07 termination petition filed 6-7-07 pt contd to 7-12-07
<u>516440</u>	Other	Parties concurred
<u>516959</u>	Other	terminated reunification services on 4-26-07 and set pt within 45 days.
<u>517543</u>	Other	Not shelter hearing, motion for removal. The Motion for removal hearing was continued, but the kids are to remain in the home pending the next hearing.
<u>517544</u>	Other	Not shelter hearing, motion for removal. The hearing was continued, but the kids are to remain in the home pending the next hearing.
<u>517859</u>	Other	parties concurred
<u>517860</u>	Other	parties concurred
<u>517862</u>	Other	parties concurred
<u>517874</u>	Other	Unknown
<u>519830</u>	Other	Unknown
<u>519831</u>	Other	Unknown
<u>520129</u>	Other	
<u>520129</u>	Other	Father-fired and hired counsel. Parents did not agree with psychological evaluations. Disposition and reunification were set for Evidentiary trial.
<u>520129</u>	Other	Waiting for psychological evaluation to be completed on the mother. Parents do not agree with psychological evaluation's results. Disposition and reunification go to evidentiary trial.
<u>520616</u>	Other	Court calendar due to judge retiring; new judge on bench.
<u>520658</u>	Other	parties concurred.
<u>520813</u>	Other	Child was located in the State of Ohio and was returned to Utah.
<u>520959</u>	Other	case was transferred from 4th District to 5th District
<u>520959</u>	Other	case was transferred from 4th District to 5th District without disposition taking place in 4th District
<u>520993</u>	Other	Both parents are incarcerated.
<u>520995</u>	Other	Parents incarcerated.
<u>521276</u>	Other	all parties concurred to hearing dates
<u>521282</u>	Other	All parties concurred to hearing dates
<u>521703</u>	Other	This is obviously not a 'continued' pretrial as there have been multiple hearings since 02/20. The AG requested a PT in court.
<u>522166</u>	Other	Shelter hearing scheduled by AG's office for 01/08/2007.
<u>522167</u>	Other	Shelter hearing scheduled by AG's office for

		01/08/2007.
<u>522169</u>	Other	Shelter hearing scheduled by AG's office for 01/08/07.
<u>523012</u>	Other	Father's hearing
<u>523263</u>	Other	father's portion only is what was over time limit. Due to not finding father and then locating him and he wanting an attorney appointed..
<u>523281</u>	Other	Parents failed to appear for hearings, warrants issued, parties wished to proceed to trial. Resolution to petition finally reached.
<u>523281</u>	Other	parents no-showed for court, had warrants issued. Mediations scheduled, parents not willing to admit to allegations in petition.
<u>523286</u>	Other	Parents failed to appear for hearings, warrants issued, parties wished to proceed to trial. Resolution to petition finally reached.
<u>523286</u>	Other	parents no-showed for court, had warrants issued. Mediations scheduled, parents not willing to admit to allegations in petition.
<u>523287</u>	Other	Parents failed to appear for hearings, warrants issued, parties wished to proceed to trial. Resolution to petition finally reached.
<u>523287</u>	Other	parents no-showed for court, had warrants issued. Mediations scheduled, parents not willing to admit to allegations in petition.
<u>523288</u>	Other	Parents failed to appear for hearings, warrants issued, parties wish to proceed to trial
<u>523288</u>	Other	Parents failed to appear for hearings, warrants issued, parties wished to proceed to trial. Resolution to petition finally reached.
<u>523646</u>	Other	No reunification provided for father only
<u>524777</u>	Other	Law no longer requires matter to be set within 15 days.
<u>524780</u>	Other	Law no longer requires matter to be set within 15 days.
<u>524782</u>	Other	Law no longer requires matter to be set within 15 days.
<u>525176</u>	Other	AG requested continuance. Contact AG.
<u>525700</u>	Other	03/07/07 Children removed from their mother when she refused to participate in inpatient treatment
<u>526521</u>	Other	parties agreed on the date amended petition filed 4/12/07
<u>527426</u>	Other	ICWA to be contacted with 10 day notice
<u>527942</u>	Other	Rules changed and don't have to be set within 15 days
<u>527943</u>	Other	Rules changed and don't have to be set within 15 days

<u>527944</u>	Other	Rules changed and don't have to be set within 15 days
<u>527945</u>	Other	Rules changed and don't have to be set within 15 days
<u>528088</u>	Other	Private counsel for the mother had a conflict arise and was unable to further represent the mother. New Counsel is being obtained.
<u>528900</u>	Other	PSS petitions do not require a hearing within 15 days.
<u>528903</u>	Other	PSS petitions not required to be set within 15 days.
<u>529388</u>	Other	no resolution made, set for trial with the first available hearing dates.
<u>529389</u>	Other	no resolution made, set for trial with the first available hearing dates.
<u>529631</u>	Other	Matters are still pending with father, .
<u>529632</u>	Other	Matters still pending with father, .
<u>529633</u>	Other	Matters still pending with father,
<u>529634</u>	Other	ICWA notice had to be completed before proceeding.
<u>530151</u>	Other	Portion of the petition is dismissed without prejudice.
<u>530151</u>	Other	Uncertain
<u>530341</u>	Other	Petition dismissed in part, without prejudice.
<u>530341</u>	Other	Uncertain
<u>530671</u>	Other	Unknown
<u>531441</u>	Other	As per our District's agreement with the AAG's office, pss petitions were to be set within 25 days. Our District has now changed to 15 days.
<u>531442</u>	Other	As per our District's agreement with the AAG's office, pss petitions were to be set within 25 days. We have no changed the agreement to 15 days.
<u>531443</u>	Other	As per our District's agreement with the AAG's office, pss petitions were to be set within 25 days. Our agreement has changed to reflect the 15 day requirement.
<u>531744</u>	Other	mom requests time to find an attorney
<u>532141</u>	Other	09/11/07: issued warrant
<u>533602</u>	Other	PSS doesn't require 15 days
<u>533603</u>	Other	PSS doesn't require 15 days
<u>533606</u>	Other	PSS doesn't require 15 days
<u>533607</u>	Other	PSS doesn't require 15 days
<u>533609</u>	Other	PSS doesn't require 15 days
<u>533934</u>	Other	The child was put in shelter by her parents on July 20, 2007. A formal removal was not done.
<u>534350</u>	Other	

<u>534532</u>	Other	Service not completed until August 16, 2007.
<u>534533</u>	Other	Service not completed until August 16, 2007.
<u>534534</u>	Other	Service not completed until August 16, 2007.
<u>534865</u>	Other	Judge           , unavailable 8/16/07 through 8/21/07
<u>534866</u>	Other	Judge           unavailable 8/16/07 through 8/21/07
<u>534867</u>	Other	Judge           unavailable 8/16/07 through 8/21/07
<u>825105</u>	Other	See above note.
<u>825105</u>	Other	Youth was arrested with father and taken into Detention on 6/28/07. Delinquent charges on youth pending. A Motion for Expedited Placement was filed.
<u>911925</u>	Other	New shelter on 12/29/06
<u>942258</u>	Other	The Assistant Attorney General has never filed for termination, however, the mother filed in court on 03-01-2007 and the father filed in court on 04-05-2007 a Petition for Voluntary Relinquishment.
<u>946840</u>	Other	
<u>971726</u>	Other	The Assistant Attorney General never filed a termination peition, however, the mother filed in court on 03-01-2007 and the father filed in court on 04-05-2007 a Petition for Voluntary Relinquishment.
<u>980063</u>	Other	Awaiting evaluation from minor's therapist. With the holiday's mixed in and the therapist being in and out of the office, it took longer than 30 days.

Please submit questions or comments about this site to: [info@email.utcourts.gov](mailto:info@email.utcourts.gov)



TO: Child Welfare Oversight Panel members

FROM: Julie V. Lund   
Division Chief, Child Protection Division  
Office of the Utah Attorney General

DATE: September 28, 2007

RE: Child Protection Division, Case Time Limits Report

### INTRODUCTION

Attached, please find the 2007 Case Time Limit Report compiled by the Utah Attorney General's Office, Child Protection Division. The Report contains information on child protection cases opened from October 1, 2006 through September 28, 2007. It is divided into two sections: (1) "Case Tracking Report," which provides time frame information on child protection cases from October 1, 2005 through September 29, 2006; and (2) "Case Tracking Exception Report," which identifies the number of cases in which a statutory time limit was missed, the percentage of cases which were outside of the time limit and the reasons for the missed time frame. A detailed list of the cases which did not comply with the time frames is also attached to the Exception Report.

The following is a brief summary of the Report and the case outcomes. We are anxious to respond to the Committee's questions and comments and look forward to reviewing these materials with the Committee, upon your request.

### BACKGROUND

In 2001, the Legislature amended Utah Code Ann. § 62A-4a-207, requiring an annual report to the Legislative Oversight Panel. Specifically, sub-section 207(4)(c) was added, stating:

[B]efore October 1, 2002 and before October 1 of each year thereafter receive reports from the division, the attorney general, and the judicial branch identifying the cases not in compliance with the time limits established in Section 78-3a-308, regarding pretrial and adjudication hearings, Section 78-3a-311, regarding dispositional hearings and reunification services, and Section 78-3a-312, regarding permanency hearings and petitions for termination, and the reasons for noncompliance.

Although this annual reporting requirement does not specifically include the time frame for shelter hearings, we have included the shelter hearing data. The timeliness of shelter hearings is a key indicator in evaluating overall systemic performance.

## SUMMARY OF CASE TIME LIMIT COMPLIANCE

### REMOVAL TO SHELTER HEARING

Utah Code Ann. § 78-3a-306 requires that a shelter hearing be held within 72 hours following the removal of a child from the child's home. The 72 hours does not include weekends and holidays. During this reporting period, 1,488 shelter hearings were held. Ninety-one per cent (90.9%) of these hearings were held within 72 hours of removal. Within one week of the deadline, ninety-nine percent (99.4%) of the shelter hearings had been held. The principal reason for non-compliance was the court's calendar.

### PRETRIAL HEARING

The pretrial deadline is established in Utah Code Ann. § 78-3a-308. Specifically, the pretrial hearing must be held within 15 calendar days from the date of the shelter hearing. One extension of the pretrial is permitted, upon a showing of good cause.

During the period of the report, 1,429 pretrial hearings were held. Nearly eighty-five percent (84.4%) of the pretrial hearings were held within 15 calendar days of the shelter hearing. Within one week of the deadline, ninety-two percent (92.4%) of the pretrial hearings had been held. The reason cited most frequently for delay beyond the 15 day period was the court's calendar.

### ADJUDICATION HEARING (TRIAL)

The adjudication hearing deadline is found in Utah Code Ann. § 78-3a-308. The final adjudication hearing must be held no later than 60 calendar days from the date of the shelter hearing or the filing of a petition.

Of the 1,445 adjudication hearings which were held during the reporting period, ninety-two percent (92.5%) of the hearings were timely. Within one week of the deadline, ninety-seven percent (94.9%) of the adjudication hearings had been held. A frequently cited reason for non-compliance was the court's calendar.

### DISPOSITIONAL HEARING

Utah Code Ann. § 78-3a-310 provides that a dispositional hearing must be held 30 days from the date of the adjudication hearing. During the reporting period, 1,450 dispositional hearings were held. Eighty-five percent (84.6%) of these hearings occurred within 30 days of the adjudication hearing. Within one week of the deadline, ninety-two percent (92.4%) of the disposition hearings had been held. The court's calendar was a frequently cited reason for non-compliance with the statutory time limit.

### PERMANENCY HEARING

The time limits for permanency hearings are contained in Utah Code Ann. § 78-3a-312. Specifically, when reunification services are ordered by the court with respect to a child who is older than 36 months, a permanency hearing must be held no later than 12 months after the original removal of the child. For a child who is 36 months or younger at the time of removal, the permanency hearing must be held eight months after the original removal.

During the period of the Report, 1,202 permanency hearings were held. Eighty-five percent (85.1%) of these hearings were timely. Within one week of the deadline, nearly eighty-nine percent (88.9%) of the permanency hearings had been held. The primary reason stated to explain the delay was the court's calendar.

**PETITIONS FOR TERMINATION OF PARENTAL RIGHTS AND PRETRIAL**

The time lines for petitions to terminate parental rights and the subsequent pretrial are contained in Utah Code Ann. § 78-3a-312. If the final plan at the permanency hearing is to proceed toward termination of parental rights, the petition shall be filed and a pretrial held within 45 calendar days of the permanency hearing.

In 351 cases, the court ordered no further reunification services at the permanency hearing, thus requiring that a petition to terminate parental rights be filed within 45 days. In seventy-six percent (74.1%) of these cases, the termination pretrial timely held. Within one week of the deadline, nearly seventy-nine percent (78.9%) of the pretrials had been held.

**COMPARISON WITH 2005-06**

	<b>2005-2006</b>		<b>2006-2007</b>	
	<u>Total Hearings</u>	<u>Compliance %</u>	<u>Total Hearings</u>	<u>Compliance %</u>
Removal to Shelter Hearing (72 Hours)	1585	90.2%	1488	90.9%
Shelter Hearing to Pre-trial Hearing (15 Days)	1504	89.2%	1429	84.4%
Shelter Hearing to Adjudication Hearing (60 Days)	1420	95.5%	1445	92.5%
Adjudication Hearing to Disposition Hearing (30 Days)	1420	85.6%	1450	84.6%
Removal to Permanency Hearing (8 to 12 months)	1097	87.2%	1202	85.1%
Permanency Hearing to Termination Petition Filed (45 Days)	303	81.5%	351	74.1%

Although not required to do so, the Child Protection Division of the Attorney General's Office began tracking Protective Supervision Services ("PSS") case loads in 2003. In general, PSS cases involve matters where the Division provides court ordered services while the children remain in the home. Most of the procedural requirements (filing of a Verified Petition, right to counsel, pretrials, trials and review hearings) are the same for the PSS and the in-custody cases. Between October 1, 2006 and September 27, 2007, the Child Protection Division filed 1,419 PSS Petitions. Of those petitions, ninety five percent (95.6%) were adjudicated within sixty days.

## **CONCLUSIONS**

The time limits established in Sections 78-3a-308, 311, and 312 are important benchmarks against which to measure the success of the child welfare system in Utah. The time frames are designed to ensure that children do not languish in foster care and that families receive timely services. This is the fifth year that the Attorney General's Office, Child Protection Division, has had to evaluate its systemic performance against these measures. Overall, the high level of compliance was maintained in 2007. We will continue to use the data to help improve our practice.

**Office of the Utah Attorney General  
Child Protection Division - Case Tracking Report**

Reporting Period: 10/01/2006 - 09/28/2007

	Number in Compliance	% in Compliance	Compliance within 1 week	Compliance within 2 weeks	Compliance within 30 days	Compliance in over 30 days	Average Days	Total Hearings
Removal to Shelter Hearing (72 Hours)	1353	90.9	126	5	4	0	2.8	1488
Shelter Hearing to Pre-trial Hearing (15 Days)	1206	84.4	114	42	41	26	8.0	1429
Shelter Hearing to Adjudication Hearing (60 Days)	1337	92.5	34	16	13	45	15.0	1445
Adjudication Hearing to Disposition Hearing (90 Days)	1226	84.6	114	52	34	24	14.3	1450
Removal to Permanency Hearing (8 or 12 months)	1023	85.1	45	16	38	80	258.2	1202

	Number in Compliance	% in Compliance	Compliance within 1 week	Compliance within 2 weeks	Compliance within 30 days	Compliance in over 30 days	Average Days	Total Hearings
Permanency Hearing to Termination Petition Filed (45 days)	260	74.1	11	10	15	55	63.5	351

*Office of the Utah Attorney General*  
*Child Protection Division - Case Tracking Report for Protective Supervision Services*

Reporting Period: 10/01/2006 - 09/28/2007

	Number in Compliance	% in Compliance	Compliance within 1 week	Compliance within 2 weeks	Compliance within 30 days	Compliance in over 30 days	Average Days	Total Hearings
PSS Date Petition Filed to Pre-trial Hearing (15 Days)	1237	87.2	102	48	27	5	-10.1	1419
PSS Date Petition Filed to Adjudication Hearing (60 Days)	1332	93.9	24	17	20	26	20.9	1419

*Office of the Utah Attorney General  
Child Protection Division - Case Tracking Exception Report*

Reporting Period: 10/01/2006 - 09/28/2007

	Total Hearings	Number out of Compliance	% out of Compliance	Reason for non-compliance	Number	%	
Removal to Shelter Hearing (72 Hours)	1488	135	9.1	Court Calendar	90	66.7	
				Motion to Continue Filed By	15	11.1	
				Witness Unavailable	0	.0	
				Counsel Unavailable	0	.0	
				Change of Counsel	11	8.1	
				Unable to Serve	0	.0	
				Unable to Locate	0	.0	
				Unable to Transport from Jail	0	.0	
				Counsel or Party Failed to Appear	0	.0	
				Other	19	14.1	
	Shelter Hearing to Pre-trial Hearing (15 Days)	1432	223	15.6	Court Calendar	156	70.0
					Motion to Continue Filed By	0	.0
					Witness Unavailable	0	.0
				Counsel Unavailable	0	.0	
				Change of Counsel	0	.0	
				Unable to Serve	2	.9	
				Unable to Locate	1	.4	
				Unable to Transport from Jail	1	.4	
				Counsel or Party Failed to Appear	0	.0	
				Other	63	28.3	

	Total Hearings	Number out of Compliance	% out of Compliance	Reason for non-compliance	Number	%
Shelter Hearing to Adjudication Hearing (60 Days)	1448	108	7.5	Court Calendar	33	30.6
				Motion to Continue Filed By	2	1.9
				Witness Unavailable	0	.0
				Counsel Unavailable	0	.0
				Change of Counsel	0	.0
				Unable to Serve	0	.0
				Unable to Locate	0	.0
				Unable to Transport from Jail	0	.0
				Counsel or Party Failed to Appear	3	2.8
				Other	0	.0
					70	64.8
Adjudication Hearing to Disposition Hearing (30 Days)	1450	224	15.4	Court Calendar	133	59.4
				Motion to Continue Filed By	1	.4
				Witness Unavailable	0	.0
				Counsel Unavailable	0	.0
				Change of Counsel	0	.0
				Unable to Serve	0	.0
				Unable to Locate	1	.4
				Unable to Transport from Jail	3	1.3
				Counsel or Party Failed to Appear	0	.0
				Other	1	.4
					85	37.9

# *Non - Compliance Detail Report*

## Shelter Hearing

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
A.M.	11/17/2006	520346	2504.5031+	1.0	holiday
S.S.	08/14/2007		2504.5876+	2.0	
N.S.	10/01/2006		2504.6414+	1.0	Court Calendar
E.G.	05/12/1992		2504.6538+	1.0	Court Calendar
T.G.	09/26/2006		2504.6612	1.0	Court Calendar
J.V.	07/05/2006		2504.7081	1.0	Court Calendar
M.W.	11/12/2005		2504.7261	6.0	Court Calendar
S.S.	09/01/2005		2504.7407	1.0	Court Calendar
C.S.	09/05/1998		2504.7407	1.0	Court Calendar
F.S.	01/28/2000		2504.7407	1.0	Court Calendar
M.L.	03/09/2003		2504.7529	1.0	Other:Holiday
M.M.	11/17/2006	522121	2515.0049+	1.0	Court Calendar - Holiday
R.T.	12/23/1997	129341	2523.0874++	21.0	continued for evidentiary shelter
A.C.	01/16/1991	939756	2524.1475+	2.0	Court Calendar
T.S.	01/07/1990	529698	2524.2874	6.0	AAG filed motion to continue
H.R.	12/09/2004	517741	2534.2797	1.0	Court Calendar
A.R.	01/13/2004	517733	2534.2797	1.0	Court Calendar
S.E.	08/29/2004	516353	2534.2835	14.0	Court Calendar
A.C.	08/04/2006	523921	2534.2835	14.0	

# *Non - Compliance Detail Report*

## Shelter Hearing

*From:* 10/01/2005 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
D.H.	10/01/1993		2544.1080++	4.0	Court Calendar
C.H.	05/06/1992		2544.1080++	4.0	Court Calendar
D.M.	01/05/2004		2544.1080++	4.0	Court Calendar
K.M.	01/05/2005		2544.1080++	4.0	Court Calendar
C.M.	06/04/2000		2544.1080++	4.0	Court Calendar
M.H.	01/31/1998		2544.1080++	4.0	Court Calendar
S.G.	07/30/1991	985680	2544.1285+++	3.0	Counsel Unavailable
M.M.	04/12/1993	167451	2544.1492+	5.0	Court Calendar
H.M.	02/14/2000	167452	2544.1492+	5.0	Court Calendar
M.M.	09/20/1990	167450	2544.1492+	5.0	Court Calendar
J.C.	02/14/2007		2544.1718+	3.0	Counsel Unavailable, 7/26/07
S.S.	12/22/1993	983320	2544.2068++	4.0	Court Calendar
K.H.	08/26/1997	466706	2544.3066+	1.0	Court Calendar
D.H.	09/12/1999	466707	2544.3066+	1.0	Court Calendar
M.H.	10/17/2002	466708	2544.3066+	1.0	Court Calendar
M.A.	08/24/2005	470194	2544.4019+	7.0	Counsel Unavailable
E.C.	12/18/1990	449296	2544.4087+	14.0	Other:
J.F.	07/20/2003	504868	2544.4113+	1.0	Court Calendar
K.F.	07/28/2004	504869	2544.4113+	1.0	Court Calendar
A.F.	05/15/2007		2544.4113+	1.0	Court Calendar
A.G.	09/02/1996	508641	2544.4189+	1.0	Court Calendar, 11/6/06
M.S.	04/02/2006	517664	2544.4295	1.0	Other:Holiday

*Friday, September 28, 2007*

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# *Non - Compliance Detail Report*

## Shelter Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
J.D.	01/13/1994	578289	2544.4305	4.0	Counsel Unavailable
R.D.	09/10/2004	578318	2544.4305	4.0	Counsel Unavailable
C.D.	02/07/2003	578316	2544.4305	4.0	Counsel Unavailable
L.D.	01/04/1995	578313	2544.4305	4.0	Counsel Unavailable
M.D.	07/26/1996	578315	2544.4305	4.0	Counsel Unavailable
A.L.	09/06/2006	520203	2544.4308	7.0	Court Calendar
J.W.	09/18/1994		2544.4311	1.0	Court Calendar
E.A.	11/08/2006	519549	2544.4321+	7.0	Motion to Continue: Filed By opposing counsel
J.R.	07/20/2001	519544	2544.4321+	7.0	Motion to Continue: Filed By opposing counsel
T.A.	05/16/2003	519547	2544.4321+	7.0	Motion to Continue: Filed By opposing counsel
S.K.	06/22/2005		2544.4330	3.0	Motion to Continue: Filed By AAG
D.B.	03/18/2003	520325	2544.4334	4.0	Court Calendar
J.R.	04/27/2004	520327	2544.4334	4.0	Court Calendar
J.B.	05/20/2006	520328	2544.4334	4.0	Court Calendar
D.B.	03/18/2003	520325	2544.4334+	4.0	Court Calendar
J.R.	04/27/2004	520327	2544.4334+	4.0	Court Calendar
J.B.	05/20/2006	520328	2544.4334+	4.0	Court Calendar
D.N.	05/03/2007	05/03/2007	2544.4348	1.0	Court Calendar
T.P.	02/05/1991	524110	2544.4389	1.0	Court Calendar
T.P.	03/02/1994	524108	2544.4389	1.0	Court Calendar
A.C.	07/15/1991		2544.4422	7.0	Court Calendar, 4/30/07

# *Non - Compliance Detail Report*

## Shelter Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
B.B.	01/08/1992		2544.4424	4.0	Court Calendar
L.S.	07/14/1989		2544.4484	1.0	Motion to Continue: Filed By
D.F.	08/01/1993	531436	2544.4488	3.0	Judge ordered child in DCFS custody under delinquency then required a custody petition.
D.W.	12/29/2003		2544.4490	6.0	Court Calendar
L.S.	04/16/2006		2544.4490	6.0	Court Calendar
S.F.	12/14/2003	535184	2544.4524	4.0	Motion to Continue: Filed By
E.M.	01/03/1996	981317	2544.4524	4.0	Motion to Continue: Filed By
C.F.	06/02/2006	535185	2544.4524	4.0	Motion to Continue: Filed By
J.G.	01/01/1993	981315	2544.4524	4.0	Motion to Continue: Filed By
J.G.	06/15/1992	437714	2554.0695+	1.0	Mother Couldn't Attend on 5/11/07
S.D.	03/21/2003	518476	2554.0849	1.0	Court Calendar
I.D.	04/21/2004	518478	2554.0849	1.0	Court Calendar
D.D.	06/12/2005	518481	2554.0849	1.0	Court Calendar
M.C.	07/21/2000	527340	2554.0875	1.0	Court Calendar; AAG's Availability
I.C.	07/27/2002	527342	2554.0875	1.0	Court Calendar; AAG's Availability
E.C.	03/23/2007	527343	2554.0875	1.0	Court Calendar; AAG's Availability
A.R.	03/12/1992	171372	2564.0630	1.0	Court Calendar
E.H.	10/20/2004	518218	2564.0633	1.0	Court Calendar
C.P.	11/05/1993	514896	2564.0634	2.0	Court Calendar
A.Y.	10/16/1991	176435	2574.0355++	2.0	Court Calendar

# *Non - Compliance Detail Report*

## Shelter Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
B.D.	11/21/2005	518947	2574.0521	1.0	Court Calendar
C.D.	03/22/2002	518945	2574.0521	1.0	Court Calendar
D.D.	12/29/1993	445387	2574.0530	11.0	Court Calendar
B.N.	08/27/1990	525935	2574.0542	4.0	Court Calendar
L.C.	12/13/2006	527673	2574.0547	4.0	Court Calendar
A.C.	04/07/2004	505647	2574.0547	4.0	Court Calendar
G.J.	01/17/1990	528096	2574.0548	8.0	Court Calendar
H.S.	02/19/1998	159825	2584.0456+	6.0	Motion to Continue: Filed By AG
F.G.	10/17/1994	461811	2584.0765+	1.0	Other: Holiday
A.G.	08/08/1993	461812	2584.0765+	1.0	Other: Holiday
D.G.	05/31/1998	461810	2584.0765+	1.0	Other: Holiday
P.K.	10/24/2002		2584.0975	1.0	Court Calendar
J.H.	12/17/2004		2584.0975	1.0	Court Calendar
R.M.	03/06/2006		2584.0978	1.0	Motion to Continue: Filed By
M.M.	06/27/1991	427934	2584.0986	4.0	
R.S.	11/19/2004	520162	2584.0987	3.0	Court Calendar
M.S.	06/10/2002		2584.0987	3.0	Court Calendar
M.S.	02/01/1993	503196	2584.0987	3.0	Court Calendar
O.L.	05/03/2003	520813	2584.0989	6.0	Court Calendar
T.S.	02/04/2000	522002	2584.0995	20.0	
K.S.	05/19/1997	522001	2584.0995	20.0	

# *Non - Compliance Detail Report*

## Shelter Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
B.S.	05/25/1995	503542	2584.0995	20.0	
H.H.	05/08/2003	522036	2584.0996	2.0	Court Calendar
D.B.	02/26/1994	522094	2584.0999	1.0	Other: Holiday
S.B.	01/02/1993	165795	2584.0999	1.0	Other: Holiday
J.V.	05/19/1997	522166	2584.1000	3.0	Motion to Continue: Filed By
I.V.	03/13/2001	522167	2584.1000	3.0	Motion to Continue: Filed By
C.V.	12/10/1998	522169	2584.1000	3.0	Motion to Continue: Filed By
S.F.	04/07/2000	527241	2584.1039	4.0	Court Calendar
A.F.	03/29/2001	527240	2584.1039	4.0	Court Calendar
K.M.	04/27/1992	527355	2584.1039	4.0	Court Calendar
M.F.	09/16/2004	527243	2584.1039	4.0	Court Calendar
C.C.	08/24/2005	527400	2584.1040	1.0	Counsel Unavailable
A.G.	04/09/2007		2584.1041	2.0	Motion to Continue: Filed By
C.H.	04/26/1994	528599	2584.1042	1.0	Court Calendar
H.H.	10/16/1989		2584.1042	1.0	Court Calendar
K.P.	08/15/1993		2584.1050	1.0	Court Calendar
E.B.	11/07/2005	530299	2584.1051	2.0	Court Calendar
M.R.	07/21/1994	531988	2584.1064	2.0	Counsel Unavailable
M.G.	01/02/1990	178625	2584.1074	3.0	Court Calendar
A.H.	05/24/2005	534102	2584.1077	2.0	Court Calendar
S.H.	04/06/1999	443575	2584.1077	2.0	Court Calendar

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# *Non - Compliance Detail Report*

## Shelter Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
S.H.	06/24/1994	442573	2584.1077	2.0	Court Calendar
J.H.	01/18/2004	534530	2584.1081	3.0	Counsel Unavailable
C.W.	10/16/2001	535303	2584.1085	5.0	Court Calendar
C.B.	09/29/1997	536028	2584.1087	1.0	Court Calendar
C.B.	09/29/1997	536031	2584.1087	1.0	Court Calendar
K.S.	03/07/2007	535997	2584.1094	1.0	Court Calendar
S.D.	07/31/1994		2584.1096	1.0	Court Calendar
D.D.	09/20/1993		2584.1096	1.0	Court Calendar
S.C.	12/18/1989	523573	2584.1099	1.0	Court Calendar
T.M.	10/19/1993	152587	2584.1101	1.0	Court Calendar
L.D.	01/11/1992		2594.0758	1.0	Court Calendar

*Total Cases:* 81

# *Non - Compliance Detail Report*

## *Pre-Trial Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
S.M.	10/13/1994		2504.2453	1.0	Court Calendar
A.B.	08/26/1996		2504.2453	1.0	Court Calendar
A.B.	08/07/1993		2504.2453	1.0	Court Calendar
D.G.	08/14/1995		2504.2823	2.0	Court Calendar
T.W.	02/26/1992		2504.4589+	6.0	Court Calendar
B.W.	02/09/1990		2504.4589+	6.0	Court Calendar
J.N.	05/16/1997		2504.4589+	6.0	Court Calendar
A.H.	11/14/2005		2504.5123+++	4.0	Court Calendar
T.H.	10/22/2004		2504.5123+++	4.0	Court Calendar
D.H.	11/14/2005		2504.5123+++	4.0	Court Calendar
B.M.	06/17/2007		2504.5240+	1.0	Court Calendar
A.L.	02/14/2007		2504.6053+	18.0	Pretrial for PD
A.E.	08/08/2002		2504.6069	18.0	could not locate father
A.E.	10/07/2006		2504.6674+	3.0	
H.W.	06/25/2000		2504.6674+	3.0	
T.E.	05/13/2003		2504.6674+	3.0	
H.E.	10/14/2005		2504.6674+	3.0	
D.B.	06/16/2006		2504.6926	1.0	Court Calendar
B.F.	06/04/2003		2504.6926	1.0	Court Calendar
K.W.	02/18/2002		2504.6926	1.0	Court Calendar
H.M.	10/31/2004		2504.7110	6.0	unable to Serve/locate
J.M.	06/17/2003		2504.7110	6.0	Unable to Locate/serve
B.S.	10/31/2000		2504.7110	6.0	unable to Serve/locate

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# *Non - Compliance Detail Report*

## *Pre-Trial Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
M.W.	07/22/1998		2504.7115	1.0	Court Calendar
S.D.	04/10/1991		2504.7115	1.0	Court Calendar
D.D.	02/08/1993		2504.7115	1.0	Court Calendar
M.R.	01/27/1992		2504.7116	1.0	
E.N.	09/15/2006		2504.7117	1.0	Court Calendar
M.G.	09/25/2004		2504.7190	33.0	
D.G.	11/04/1991		2504.7191	33.0	
S.W.	10/29/2003		2504.7193	1.0	Court Calendar
K.W.	11/25/2001		2504.7193	1.0	Court Calendar
A.L.	05/09/2005		2504.7194	1.0	Court Calendar
M.S.	05/19/2003		2504.7197	1.0	Court Calendar
C.S.	08/24/2004		2504.7219+	22.0	continuance
S.S.	11/04/1999		2504.7219+	22.0	continuance
S.D.	09/09/2006		2504.7233	10.0	Other: Court Calendar/Cont. PT
K.S.	11/30/2006		2504.7234	12.0	Court Calendar
K.Z.	01/27/1991		2504.7257	13.0	
K.B.	11/17/2001		2504.7266	5.0	Court Calendar
C.K.	03/13/2001		2504.7280	5.0	evidentiary hearing scheduled
M.K.	05/24/1997		2504.7280	5.0	evidentiary hearing scheduled

# *Non - Compliance Detail Report*

## *Pre-Trial Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
L.S.	08/01/2006		2504.7281	1.0	
D.S.	08/21/2003		2504.7281	1.0	
L.C.	02/25/2007		2504.7315	3.0	Court Calendar
H.C.	07/20/2005		2504.7315	3.0	Court Calendar
D.C.	04/28/2001		2504.7315	3.0	Court Calendar
M.L.	05/20/2004		2504.7351	1.0	Court Calendar
M.L.	05/20/2004		2504.7351	1.0	Court Calendar
A.V.	11/30/2005		2504.7352	1.0	Court Calendar
B.Z.	03/30/2007		2504.7352	1.0	Court Calendar
H.M.	10/21/1999		2504.7352	1.0	Court Calendar
J.V.	07/30/1993		2504.7352	1.0	Court Calendar
D.E.	02/28/2003		2504.7369	34.0	
G.M.	02/17/2007		2504.7369	34.0	
E.R.	12/29/2004		2504.7374	6.0	
C.R.	04/24/2006		2504.7374	6.0	
I.P.	05/15/1998		2504.7470	6.0	Court Calendar
K.P.	01/15/2003		2504.7470	6.0	Court Calendar
S.P.	05/23/2001		2504.7470	6.0	Court Calendar
K.T.	07/08/2007		2504.7475	6.0	Court Calendar
T.S.	02/11/2002		2504.7475	6.0	Court Calendar
K.W.	09/15/2003		2504.7489	7.0	case was transferred to another judge
K.W.	09/13/2004		2504.7489	7.0	case was transferred to another judge
A.V.	04/22/2004	461330	2514.0678+	2.0	Court Calendar

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# Non - Compliance Detail Report

## Pre-Trial Hearing

From: 10/01/2006 To: 09/26/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
G.S.	01/26/1997	509553	2514.0746	8.0	Court Calendar
M.B.	12/12/2002	519839	2514.0747	8.0	Court Calendar
S.B.	05/16/2000	519840	2514.0747	8.0	Court Calendar
K.K.	02/09/2006	527426	2515.0060	1.0	tribal membership researched for shelter evidence
J.E.	08/18/1997	939030	2523.0476	6.0	allow time for mediation / cont. shelters
A.R.	03/15/2005		2524.2004+	20.0	defense counsel - motion to continue
J.W.	03/03/1999	470010	2524.2525++	5.0	Court Calendar
A.B.	05/20/2005	507422	2524.2671++	13.0	ICWA Representatives to Attend
A.B.	10/05/2002	507715	2524.2671++	13.0	ICWA Representatives to Attend
D.L.	05/01/1999		2524.2784	13.0	Court Calendar
D.L.	12/22/2001		2524.2784	13.0	Court Calendar
D.L.	05/01/1999		2524.2784	13.0	Court Calendar
D.L.	01/18/1995	513791	2524.2784	13.0	Court Calendar
D.L.	10/28/1990		2524.2784	13.0	Court Calendar
T.D.	04/17/2006		2524.2800	8.0	allow time for mediation
A.R.	04/09/2006		2524.2811	6.0	mother asked for counsel
J.C.	09/17/1993	525480	2524.2834	6.0	Court Calendar
J.M.	05/09/1993	519394	2534.2805	6.0	Other: to allow time for mediation
K.M.	05/09/1993	519396	2534.2805	6.0	Other: to allow time for mediation
L.S.	03/31/2005	525934	2534.2860	6.0	Other: to allow time for mediation

# *Non - Compliance Detail Report*

## *Pre-Trial Hearing*

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
L.S.	12/08/2006	525822	2534.2860	6.0	Other: to allow time for mediation
J.J.	07/22/1992	166451	2544.1422+	16.0	Court Calendar
D.G.	02/12/1999	166454	2544.1422+	16.0	Court Calendar
S.B.	06/24/1994	166453	2544.1422+	16.0	Court Calendar
J.G.	06/20/2001	166456	2544.1422+	16.0	Court Calendar
A.L.	02/18/1993	426302	2544.1668+	40.0	Court Calendar
A.N.	02/18/1992	868942	2544.1717+	15.0	Court Calendar
J.N.	06/24/2000	968487	2544.1717+	15.0	Court Calendar
S.N.	04/20/1995	869022	2544.1717+	15.0	Court Calendar
S.N.	12/16/1990	848116	2544.1717+	15.0	Court Calendar
Z.N.	10/14/1998	968477	2544.1717+	15.0	Court Calendar
J.C.	02/14/2007		2544.1718+	8.0	Court Calendar
J.R.	10/29/2006		2544.1738+	6.0	Unable to Transport from Jail
C.V.	07/15/1996		2544.1890+	20.0	Court Calendar
M.V.	11/15/2000		2544.1890+	20.0	Court Calendar
A.V.	07/11/2002		2544.1890+	20.0	Court Calendar
T.M.	10/08/2001	451170	2544.1971+	6.0	Court Calendar, 5/15/07
M.M.	02/10/2005	460646	2544.1971+	6.0	Court Calendar, 5/15/07
Z.M.	12/13/1999	451169	2544.1971+	6.0	Court Calendar, 5/15/07
J.M.	04/03/1996	451147	2544.1971+	6.0	Court Calendar, 5/15/07
A.M.	10/28/1997	451164	2544.1971+	6.0	Court Calendar, 5/15/07
C.M.	12/28/1998	451166	2544.1971+	6.0	Court Calendar, 5/15/07
J.M.	01/07/2007	451171	2544.1971+	6.0	Court Calendar, 5/15/07

# Non - Compliance Detail Report

## Pre-Trial Hearing

From: 10/01/2006 To: 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
S.S.	12/22/1993	983320	2544.2068++	41.0	Court Calendar
G.W.	08/01/1993	460141	2544.2092+	27.0	Court Calendar; mother's pt 01/12/2007
D.W.	11/07/1996	460143	2544.2092+	27.0	Court Calendar; mother's pt 01/12/2007
K.S.	03/07/2007	526536	2544.3034+	8.0	Court Calendar
B.S.	02/20/2005	464634	2544.3046+	4.0	Court Calendar
B.H.	08/15/2002	464633	2544.3046+	4.0	Court Calendar
J.A.	12/20/2006	524097	2544.4010	5.0	Court Calendar
T.Z.	05/13/1996	470736	2544.4047	8.0	Court Calendar
C.Z.	02/27/1998	472939	2544.4047	8.0	Court Calendar
J.J.	11/28/1994	513271	2544.4211	41.0	Other:
I.J.	12/22/1995	513273	2544.4211	41.0	Other:
T.J.	01/02/1999	513274	2544.4211	41.0	Other:
B.J.	12/28/2000	513275	2544.4211	41.0	Other:
L.M.	04/13/2005	513334	2544.4239	2.0	Court Calendar
S.M.	05/23/2005	516637	2544.4275	37.0	12/01/06
D.F.	01/13/2006		2544.4283	18.0	Other:Children returned, voluntary services
B.F.	02/17/2005		2544.4283	18.0	Other:Children returned, voluntary services
A.D.	04/24/2003	516774	2544.4284	2.0	Court Calendar
A.C.	09/12/2003	516911	2544.4289+	10.0	Court Calendar
A.C.	08/10/2000	517133	2544.4289+	10.0	Court Calendar
A.C.	02/24/2002	517134	2544.4289+	10.0	Court Calendar

# *Non - Compliance Detail Report*

## *Pre-Trial Hearing*

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
A.C.	04/12/1999	517132	2544.4289+	10.0	Court Calendar
M.S.	04/02/2006	517664	2544.4295	5.0	Court Calendar
R.D.	09/10/2004	578318	2544.4305	13.0	Court Calendar
C.D.	02/07/2003	578316	2544.4305	13.0	Court Calendar
M.D.	07/26/1996	578315	2544.4305	13.0	Court Calendar
L.D.	01/04/1995	578313	2544.4305	13.0	Court Calendar
J.D.	01/13/1994	578289	2544.4305	13.0	Court Calendar
P.S.	11/13/1992	518820	2544.4307+	26.0	Court Calendar
E.S.	08/23/1996	434349	2544.4307+	26.0	Court Calendar
R.S.	08/25/1999	518823	2544.4307+	26.0	Court Calendar
E.S.	08/23/1996	434349	2544.4307++	26.0	Other: Mother in substance abuse
R.S.	08/25/1999	518823	2544.4307++	26.0	Other: Mother in substance abuse
P.S.	11/13/1992	518820	2544.4307++	26.0	Other: Mother in substance abuse
C.B.	02/24/2004		2544.4309	4.0	Court Calendar
J.W.	09/18/1994		2544.4311	6.0	Court Calendar
E.A.	11/08/2006	519549	2544.4321	9.0	Court Calendar
T.A.	05/15/2003	519547	2544.4321	9.0	Court Calendar
J.R.	07/20/2001	519544	2544.4321	9.0	Court Calendar
J.R.	07/20/2001	519544	2544.4321+	7.0	Court Calendar
T.A.	05/15/2003	519547	2544.4321+	7.0	Court Calendar
E.A.	11/08/2006	519549	2544.4321+	7.0	Court Calendar
J.G.	05/22/2000	520144	2544.4325	2.0	Court Calendar
H.H.	05/17/1998	520143	2544.4325	2.0	Court Calendar

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# *Non - Compliance Detail Report*

## Pre-Trial Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
A.R.	06/17/1996	520142	2544.4325	2.0	Court Calendar
C.H.	01/05/1995	520141	2544.4325	2.0	Court Calendar
D.B.	03/18/2003	520325	2544.4334	6.0	Court Calendar
J.B.	05/20/2006	520328	2544.4334	6.0	Court Calendar
J.R.	04/27/2004	520327	2544.4334	6.0	Court Calendar
M.G.	11/02/2001	520119	2544.4336	12.0	Court Calendar
J.G.	08/29/1997	520118	2544.4336	12.0	Court Calendar
G.L.	06/14/1994	520113	2544.4336	12.0	Court Calendar
D.N.	05/03/2007	05/03/2007	2544.4348	8.0	
S.A.	06/15/1991		2544.4360	2.0	Other:Holiday, Judge unavailable, 2/5/07
K.O.	08/12/2006	521471	2544.4361+	6.0	Court Calendar
J.M.	11/22/2006	523161	2544.4376	6.0	Court Calendar
E.W.	12/18/2006		2544.4381	1.0	Court Calendar
T.P.	03/02/1994	524108	2544.4389	6.0	3/15/07, 4/19/07
T.P.	02/05/1991	524110	2544.4389	6.0	3/15/07, 4/19/07
J.A.	12/15/2001		2544.4400	1.0	Court Calendar
I.A.	11/06/2000		2544.4400	1.0	Court Calendar
K.G.	11/09/1989		2544.4416	12.0	Court Calendar
T.M.	07/17/2003		2544.4423	4.0	Court Calendar
C.G.	11/28/1994		2544.4437	12.0	Court Calendar

# *Non - Compliance Detail Report*

## Pre-Trial Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
A.H.	11/22/2002	528729	2544.4445	2.0	Court Calendar
E.H.	06/05/1994	528719	2544.4445	2.0	Court Calendar
M.H.	05/08/1996	528724	2544.4445	2.0	Court Calendar
T.H.	06/01/1997	528726	2544.4445	2.0	Court Calendar
M.H.	11/06/1998	528728	2544.4445	2.0	Court Calendar
E.G.	02/23/1996		2544.4461	16.0	Court Calendar
A.S.	03/29/1998		2544.4461	16.0	Court Calendar
A.S.	07/27/1999		2544.4461	16.0	Court Calendar
E.L.	07/12/1991		2544.4461	16.0	Court Calendar
T.V.	06/04/2006		2544.4465	15.0	Court Calendar
K.H.	12/17/2004		2544.4468	13.0	Court Calendar
K.H.	04/15/2006		2544.4468	13.0	Court Calendar
A.P.	05/14/2007	531779	2544.4474	22.0	Court Calendar
C.P.	08/11/2005		2544.4492	19.0	Court Calendar
E.P.	11/29/2006		2544.4492	19.0	Court Calendar
K.P.	03/17/2004		2544.4492	19.0	Court Calendar
R.A.	02/05/1992	526087	2544.4496	2.0	Court Calendar
C.R.	04/25/1994		2544.4520	31.0	Court Calendar
C.F.	06/02/2006	535185	2544.4524	15.0	Court Calendar
J.G.	01/01/1993	981315	2544.4524	15.0	Court Calendar
E.M.	01/03/1996	981317	2544.4524	15.0	Court Calendar
S.F.	12/14/2003	535184	2544.4524	15.0	Court Calendar
L.J.	03/12/2002	535628	2544.4531	1.0	Court Calendar

# *Non - Compliance Detail Report*

## *Pre-Trial Hearing*

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
G.P.	12/29/2004	535630	2544.4531	1.0	Court Calendar
T.J.	07/20/2007	535631	2544.4531	1.0	Court Calendar
M.I.	09/29/2005	532596	2554.0889	13.0	Notice to Pascua Yaqui Tribe
D.C.	06/09/2002		2554.0907	1.0	Court Calendar
N.C.	06/20/2004		2554.0907	1.0	Court Calendar
D.V.	09/24/1990	515618	2564.0672	8.0	Court Calendar
A.Y.	10/16/1991	176435	2574.0355++	24.0	Court Calendar
N.C.	11/10/1988	515916	2574.0516	91.0	Other: ex parte order to close then withdrawn
S.A.	10/15/1991	469343	2574.0526	13.0	Court Calendar
D.R.	01/30/1992	469878	2574.0551	55.0	Court Calendar
H.S.	02/19/1998	159825	2584.0456+	5.0	Court Calendar
K.W.	09/17/2002	518830	2584.0980	5.0	
E.B.	11/07/2005	530299	2584.1051	3.0	Court Calendar
D.B.	10/07/1993	507882	2584.1092	4.0	Court Calendar
S.G.	04/24/2001	535492	2584.1092	4.0	Court Calendar
J.B.	03/10/2004	528021	2594.0781	13.0	Court Calendar

*Total Cases:* 109

# *Non - Compliance Detail Report*

## Adjudication Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
M.F.	03/04/2006		2504.3167	8.0	cannot locate parents
L.S.	03/14/1992		2504.4007	75.0	no resolution could be made regarding the petition at the first P/T, 3 P/T held
A.T.	08/13/2006		2504.5355+	45.0	parents could not be located at Pre-Trial, so it was conitnued several times
j.S.	08/25/2006		2504.5747	31.0	P/T was held over a couple of times and put the dates for the adjudication our of compliance
R.S.	07/17/2005		2504.6035+	44.0	
Q.T.	07/03/2006		2504.6035+	44.0	
A.S.	04/20/2005		2504.6102+	3.0	Court Calendar
P.L.	12/17/2006		2504.6629	7.0	
R.A.	05/28/2006		2504.7042	2.0	Mom VRd
D.R.	07/29/2005		2504.7074	1.0	Court Calendar
T.C.	06/24/2006		2504.7078	12.0	p/t was continued
J.N.	10/13/1990		2504.7195+	30.0	Court Calendar
A.S.	09/11/1991	447136	2504.7196	25.0	Date out of compliance due to the P/T matters being set over 4 times
A.S.	04/12/1993	447150	2504.7196	25.0	Date out of compliance due to the P/T matters being set over 4 times
D.V.	11/13/2006		2504.7199	2.0	Court Calendar
A.H.	08/22/2006		2504.7200	22.0	Court Calendar
L.S.	03/07/2004		2504.7211	3.0	

# *Non - Compliance Detail Report*

## *Adjudication Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
T.S.	12/25/2002		2504.7211	3.0	
H.S.	12/09/2006		2504.7211	3.0	
R.B.	04/09/2006		2504.7215	13.0	
D.N.	08/03/2000		2504.7216	33.0	Motion to Continue: Filed By Defense
D.N.	08/03/2000		2504.7216	33.0	Motion to Continue: Filed By Defense
J.P.	11/04/2004		2504.7228	3.0	Other: This case was originally started in Ca. Court dates were delayed due to waiting for info from Ca. CPS
K.Z.	01/27/1991		2504.7257	41.0	Continuance
S.G.	04/03/2000		2504.7284	14.0	
G.M.	02/17/2007		2504.7369	29.0	
D.E.	02/28/2003		2504.7369	29.0	
R.B.	04/09/2007		2504.7435	15.0	mother was not transported from jail
j.S.	11/14/1997		2504.7458	11.0	mother would not admit to the petition
D.M.	01/11/2002		2504.7460	16.0	mother could not be transported
J.E.	08/18/1997	939030	2523.0476	5.0	continued pretrials
J.W.	03/03/1999	470010	2524.2525++	44.0	expert unavailable
R.C.	12/10/1992	511946	2524.2685	45.0	stipulation by parties
S.C.	10/10/1995	511943	2524.2685	45.0	stipulation by parties
S.C.	07/27/1998	511945	2524.2685	45.0	stipulation by parties
J.d.	03/05/2007		2524.5500	1.0	

# *Non - Compliance Detail Report*

## *Adjudication Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
J.D.	01/01/2001		2524.5500	1.0	
A.M.	03/18/2000	438757	2534.2330+	53.0	
B.P.	02/08/2004	438746	2534.2330+	53.0	
D.S.	03/24/1992	473513	2534.2627	11.0	Court Calendar
J.S.	06/07/1993	473514	2534.2627	11.0	Court Calendar
N.P.	08/05/2000	473518	2534.2627	11.0	Court Calendar
V.S.	09/18/2002	473516	2534.2627	11.0	Court Calendar
A.S.	12/30/2004	473517	2534.2627	11.0	Court Calendar
D.S.	01/20/2006	509661	2534.2627	11.0	Court Calendar
T.F.	01/02/1996	520762	2534.2811	50.0	Other: 2nd removal
E.N.	07/18/2006	441996	2534.2847	31.0	Court Calendar
D.P.	08/09/1990	441996	2534.2855	59.0	
Y.R.	01/25/1997	531720	2534.2898	11.0	Other: Mediation
T.P.	09/16/1994	965844	2544.0884+	6.0	Court Calendar
R.A.	07/20/1994	148829	2544.1237+	4.0	Unable to Transport from Jail
B.H.	02/12/1992	148825	2544.1237+	4.0	Unable to Transport from Jail
C.H.	03/08/1993	148827	2544.1237+	4.0	Unable to Transport from Jail
A.L.	02/18/1993	426302	2544.1668+	46.0	State's Motion to continue
R.D.	03/04/1999		2544.1716+	31.0	Court Calendar
C.D.	01/02/2001		2544.1716+	31.0	Court Calendar
W.S.	04/21/2005	463031	2544.3034+	3.0	Court Calendar

# *Non - Compliance Detail Report*

## *Adjudication Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
M.K.	06/22/2006		2544.4078	38.0	conflict counsel needed
A.M.	01/13/2004	500832	2544.4078	38.0	conflict counsel needed
C.S.	07/19/2006	514461	2544.4259	2.0	Court Calendar
P.S.	06/05/2006	515726	2544.4273	2.0	Court Calendar
S.M.	05/23/2005	516637	2544.4275	41.0	Court Calendar
B.F.	02/17/2005		2544.4283	32.0	Other:Children returned, voluntary services
D.F.	01/13/2006		2544.4283	32.0	Other:Children returned, voluntary services
P.B.	09/26/2006	520009	2544.4291+	45.0	
T.A.	05/15/2003	519547	2544.4321	5.0	Court Calendar
K.S.	11/08/1990		2544.4375	70.0	Other:Need to publish on parents
A.C.	07/15/1991		2544.4422	5.0	Court Calendar
Z.W.	01/19/2007	528090	2544.4433	3.0	Court Calendar
D.B.	02/15/2002		2544.4455	6.0	ma was no show- incarcerated out of state
C.B.	03/28/2001		2544.4455	6.0	ma was no show- incarcerated out of state
H.G.	07/09/1997	457103	2554.0745++	4.0	Waiting for Motion for Summary Judgment to be signed.
M.G.	09/01/1990	456000	2554.0745++	4.0	Waiting for Motion for Summary Judgment to be signed.
J.O.	05/16/1997	151996	2554.0840	16.0	Court Calendar
L.R.	10/31/2003	513724	2554.0840	16.0	Court Calendar
J.C.	02/20/1993	516398	2554.0843	15.0	Court Calendar

# *Non - Compliance Detail Report*

## Adjudication Hearing

From: 10/01/2006 To: 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
D.W.	02/28/1997	516399	2554.0843	15.0	Court Calendar
J.W.	08/06/1998	516400	2554.0843	15.0	Court Calendar
J.S.	05/08/2001	518884	2554.0851	8.0	Court Calendar
S.L.	09/26/2006	526111	2554.0872	5.0	Court Calendar
S.P.	06/28/2005	526109	2554.0872	5.0	Court Calendar
E.C.	03/23/2007	527343	2554.0875	5.0	Court Waiting for GAL's Signature on Stipulation
I.C.	07/27/2002	527342	2554.0875	5.0	Court Waiting for GAL's Signature on Stipulation
M.C.	07/21/2000	527340	2554.0875	5.0	Court Waiting for GAL's Signature on Stipulation
N.C.	11/10/1988	515916	2574.0516	46.0	same as above
D.R.	01/30/1992	469878	2574.0551	10.0	Court Calendar
S.H.	10/08/1998		2584.0766++	109.0	Other: Numerous motions by both counsel; Conflicts w/finding counsel for mom; TPR filed 8/9/07; case combined. This was partial adjudication.
A.R.	07/21/2006	513625	2584.0951	6.0	Other:Partial adjudication on 8/15/06
K.W.	09/17/2002	518830	2584.0980	34.0	
B.H.	05/07/1993	523951	2584.1018	63.0	Other:con't from 3/12/2007 & 5/1/2007
B.H.	09/04/1994	525394	2584.1018	63.0	Other:con't from 3/12/2007 & 5/1/2007
A.J.	10/01/1998	134719	2594.0342	2.0	Stip. entered at mediation by all parties
G.M.	06/15/2004	473865	2594.0705+	10.0	Court Calendar
L.L.	07/21/1999	473867	2594.0705+	10.0	Court Calendar

# *Non - Compliance Detail Report*

## Adjudication Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
J.B.	03/10/2004	528021	2594.0781	6.0	Stipulation of parties

*Total Cases:* 65

# *Non - Compliance Detail Report*

## *Disposition Hearing*

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
C.K.	01/28/1993		2504.0195	33.0	Court Calendar
M.C.	05/13/1991		2504.0208	1.0	Court Calendar
D.C.	11/14/1989		2504.0208	1.0	Court Calendar
S.M.	10/13/1994		2504.2453	5.0	Court Calendar
A.B.	08/07/1993		2504.2453	5.0	Court Calendar
A.B.	08/26/1996		2504.2453	5.0	Court Calendar
J.A.	07/12/2006		2504.3288	61.0	Other motions were filed
D.D.	07/04/1993	132419	2504.3737+	5.0	Court Calendar
J.H.	04/03/2005		2504.3832+	12.0	
L.S.	03/14/1992		2504.4007	4.0	Court Calendar
T.C.	09/02/1996		2504.4930++	17.0	
T.G.	07/29/2004		2504.4930++	17.0	
K.C.	02/12/1996		2504.5193+	14.0	Pre-Trial was continued
S.H.	02/20/2005		2504.5268+	5.0	Court Calendar
A.T.	08/13/2006		2504.5355+	3.0	Court Calendar
N.C.	10/25/2006		2504.5573+	5.0	Court Calendar
T.K.	02/07/2007		2504.5877+	5.0	Court Calendar
M.G.	07/01/2006		2504.5985	2.0	Court Calendar
R.S.	07/17/2005		2504.6035+	33.0	
Q.T.	07/03/2006		2504.6035+	33.0	

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# *Non - Compliance Detail Report*

## *Disposition Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
G.V.	12/22/2003		2504.6087+	12.0	Court Calendar
A.S.	04/20/2005		2504.6102+	1.0	Court Calendar
P.F.	03/22/2006		2504.6485+	6.0	
B.F.	08/04/2003		2504.6926	15.0	could not locate mother
D.B.	06/16/2006		2504.6926	15.0	could not locate mother
K.W.	02/18/2002		2504.6926	15.0	could not locate mother
E.C.	03/30/2005		2504.6936+	21.0	
E.C.	06/28/2006		2504.6936+	21.0	
T.S.	05/13/2006		2504.6989	12.0	Court Calendar
D.D.	10/25/2004		2504.6999	12.0	
M.A.	09/12/2001		2504.6999	12.0	
L.D.	09/01/2002		2504.6999	12.0	
J.G.	03/16/1993		2504.7005	21.0	Court Calendar
N.T.	09/17/1989		2504.7035	8.0	Court Calendar
R.H.	07/28/2006		2504.7047	19.0	
V.R.	04/03/2004		2504.7047	19.0	
B.D.	04/08/1992		2504.7050	33.0	
Z.A.	12/28/2004		2504.7052	33.0	
K.C.	06/22/2002		2504.7052	33.0	
N.A.	12/09/2005		2504.7052	33.0	

# *Non - Compliance Detail Report*

## Disposition Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
A.O.	01/11/2005		2504.7066	12.0	mother's adjudication was heldover until after mediation
B.R.	07/05/2006		2504.7072	5.0	Court Calendar
M.M.	11/01/2001		2504.7072	5.0	Court Calendar
S.S.	08/28/1991		2504.7077	26.0	
T.C.	06/24/2006		2504.7078	3.0	Court Calendar
J.V.	07/05/2006		2504.7081	7.0	holidays
G.C.	10/04/2003		2504.7098	1.0	Court Calendar
S.C.	07/31/2001		2504.7098	1.0	Court Calendar
J.M.	06/17/2003		2504.7110	5.0	
A.M.	09/17/2005		2504.7111	3.0	Unable to Serve
C.M.	09/06/2006		2504.7136	3.0	
B.M.	03/08/2000		2504.7136	3.0	
W.C.	11/20/1990		2504.7142	12.0	
S.W.	06/10/1989		2504.7152	59.0	
B.G.	10/06/2006		2504.7153	23.0	
M.W.	06/15/2004		2504.7168	5.0	Court Calendar
E.T.	04/02/1994		2504.7184	5.0	Court Calendar
C.M.	07/18/1998		2504.7184	5.0	Court Calendar
D.G.	11/04/1991		2504.7191	24.0	

# *Non - Compliance Detail Report*

## Disposition Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
K.W.	11/25/2001		2504.7193	2.0	Court Calendar
S.W.	10/29/2003		2504.7193	2.0	Court Calendar
J.N.	10/13/1990		2504.7195	46.0	Court Calendar
D.B.	12/20/2003		2504.7213	6.0	Court Calendar
R.B.	04/09/2006		2504.7215	20.0	
I.M.	12/12/2004		2504.7218	19.0	
A.M.	12/12/2004		2504.7218	19.0	
S.S.	11/04/1999		2504.7219+	19.0	Court Calendar
C.S.	08/24/2004		2504.7219+	19.0	Court Calendar
S.P.	06/11/2000		2504.7226	21.0	Court Calendar
K.C.	01/29/2004		2504.7226	21.0	Court Calendar
K.C.	01/29/2004		2504.7226	21.0	Court Calendar
M.R.	09/18/2002		2504.7232	5.0	Court Calendar
M.R.	11/28/2004		2504.7232	5.0	Court Calendar
K.S.	11/30/2006		2504.7234	12.0	Court Calendar
L.M.	11/20/2006		2504.7239	5.0	Court Calendar
K.B.	11/17/2001		2504.7266	2.0	Court Calendar
K.R.	06/25/2006		2504.7267	1.0	Court Calendar
J.R.	06/06/2002		2504.7267	1.0	Court Calendar
J.R.	12/25/2003		2504.7267	1.0	Court Calendar
H.H.	10/10/1989		2504.7269	26.0	Court Calendar

# *Non - Compliance Detail Report*

## Disposition Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
T.W.	10/21/1990		2504.7282	10.0	
T.W.	10/01/2001		2504.7282	10.0	
B.V.	02/20/1992		2504.7282	10.0	
H.D.	06/30/2000		2504.7282	10.0	
R.N.	10/10/2006		2504.7282	10.0	
S.G.	04/03/2000		2504.7284	6.0	Court Calendar
S.K.	03/16/2006		2504.7286	40.0	continuances
J.K.	01/09/2005		2504.7286	40.0	continuances
I.L.	07/23/2001		2504.7288	12.0	
K.Y.	12/17/2005		2504.7290	45.0	Court Calendar
A.R.	10/27/1995		2504.7290	45.0	
B.M.	08/24/1993		2504.7310	5.0	Other: Conflict Counsel assigned
T.M.	08/04/1994		2504.7310	5.0	Other: Conflict counsel assigned
B.N.	06/26/1990		2504.7310	5.0	other: Conflict counsel assigned
B.M.	09/12/1992		2504.7310	5.0	Other: conflict counsel assigned
B.M.	08/01/1991		2504.7310	5.0	
H.C.	07/20/2005		2504.7315	5.0	Court Calendar
D.C.	04/28/2001		2504.7315	5.0	Court Calendar
L.C.	02/25/2007		2504.7315	5.0	Court Calendar
P.H.	08/16/2005		2504.7341	54.0	Counsel or Party Failed to Appear
G.M.	11/28/2006		2504.7358	11.0	father could not be located
N.C.	05/21/2006		2504.7371	59.0	mother getting into treatment

# *Non - Compliance Detail Report*

## Disposition Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
A.G.	09/20/2004		2504.7373	27.0	Court Calendar
S.G.	08/08/2000		2504.7373	27.0	Court Calendar
J.E.	06/30/1993		2504.7377	12.0	
R.E.	02/16/1995		2504.7377	12.0	
Z.E.	06/19/2000		2504.7377	12.0	
J.E.	09/20/2004		2504.7377	12.0	
G.D.	11/06/1991		2504.7380	5.0	Court Calendar
N.D.	08/07/1990		2504.7380	5.0	Court Calendar
A.L.	10/10/2005		2504.7383	13.0	
M.V.	11/13/2005		2504.7419	5.0	Court Calendar
R.B.	04/10/2005		2504.7422	5.0	Unable to Locate
S.N.	04/14/2005		2504.7432	1.0	Motion to Continue: Filed By
K.N.	01/09/2000		2504.7432	1.0	Court Calendar
A.N.	01/10/1996		2504.7432	1.0	Court Calendar
V.W.	06/13/2007		2504.7443	1.0	Court Calendar
D.R.	12/23/2001		2504.7443	1.0	Court Calendar
A.R.	08/09/2003		2504.7443	1.0	Court Calendar
M.F.	08/05/2006		2504.7444	12.0	
J.A.	03/13/2007		2504.7447	5.0	Court Calendar
K.A.	03/20/2006		2504.7447	5.0	Court Calendar
S.F.	12/03/2004		2504.7448	12.0	

# Non - Compliance Detail Report

## Disposition Hearing

From: 10/01/2006 To: 09/28/2007

Case Name	DOB	Court Case Number	Billing Number	Days out of Compliance	Reason for non-compliance
T.R.	06/09/1995		2504.7450	12.0	Court Calendar
J.R.	12/04/2000		2504.7450	12.0	Court Calendar
A.R.	06/17/2002		2504.7450	12.0	Court Calendar
A.T.	11/01/1993		2504.7459	26.0	Court Calendar
L.O.	12/01/2005		2504.7481	12.0	
J.C.	01/06/2004		2504.7482	5.0	Court Calendar
J.S.	02/13/1994		2504.7483	13.0	assessment on James not completed for 8/23/06 hearing
K.W.	03/25/2005		2504.7486	5.0	Court Calendar
S.N.	08/25/2003		2504.7493	5.0	Unable to Locate
D.N.	06/25/2005		2504.7493	5.0	Unable to Locate
E.G.	07/30/2005		2504.7495	11.0	Court Calendar
E.G.	07/18/2006		2504.7495	11.0	Court Calendar
A.R.	06/18/2007		2504.7505	5.0	Court Calendar
J.B.	08/04/2000		2504.7507	1.0	Court Calendar
C.P.	10/09/1989		2504.7508	1.0	Court Calendar
B.A.	01/08/1990		2504.7511	5.0	
J.D.	07/13/1998	980063	2524.1100+++	33.0	Court Calendar
J.W.	03/03/1999	470010	2524.2525+	143.0	Defense counsel - continuances
S.W.	08/24/2001	470011	2524.2525+	143.0	Defense counsel - continuances
D.W.	03/05/2003	470012	2524.2525+	143.0	Defense counsel - continuances

# *Non - Compliance Detail Report*

## Disposition Hearing

From: 10/01/2006 To: 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
S.C.	07/27/1998	511945	2524.2685	5.0	stipulation by parties
R.C.	12/10/1992	511946	2524.2685	5.0	stipulation by parties
S.C.	10/10/1995	511943	2524.2685	5.0	stipulation by parties
X.M.	01/04/2007	533615	2534.2918	12.0	
S.B.	06/24/1994	166453	2544.1422+	4.0	Court Calendar
J.J.	07/22/1992	166451	2544.1422+	4.0	Court Calendar
D.G.	02/12/1999	166454	2544.1422+	4.0	Court Calendar
J.G.	06/20/2001	166456	2544.1422+	4.0	Court Calendar
K.C.	01/07/2002	518392	2544.1538+	1.0	Court Calendar
J.C.	12/02/2005	518393	2544.1538+	1.0	Court Calendar
S.S.	10/15/1993	173228	2544.1570++	4.0	Court Calendar
A.L.	02/18/1993	426302	2544.1668+	3.0	Court Calendar
C.H.	03/24/2001	456685	2544.2059+	1.0	Court Calendar
S.H.	04/30/2002	456684	2544.2059+	1.0	Court Calendar
J.H.	02/25/2005	459789	2544.2059+	1.0	Court Calendar
W.S.	04/21/2005	463031	2544.3034+	3.0	Court Calendar
R.L.	07/14/2005	468479	2544.3085	4.0	Court Calendar
L.A.	11/08/2001	468477	2544.3085	4.0	Court Calendar
E.L.	08/21/2003	468478	2544.3085	4.0	Court Calendar
M.A.	08/24/2005	470194	2544.4019+	1.0	Court Calendar
J.B.	09/17/2003	472162	2544.4039	12.0	Court Calendar

# *Non - Compliance Detail Report*

## Disposition Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
J.B.	08/05/2005	472164	2544.4039	12.0	Court Calendar
S.M.	08/09/2005	503105	2544.4126+	5.0	Court Calendar
J.N.	03/26/1996	467484	2544.4232	19.0	Court Calendar
A.V.	12/18/1996	518798	2544.4270	5.0	Court Calendar
G.V.	03/02/1998	518800	2544.4270	5.0	Court Calendar
L.H.	11/24/1992	511784	2544.4272	19.0	Court Calendar
M.C.	09/06/2006	516454	2544.4277	1.0	
J.W.	09/18/1994		2544.4311+	12.0	Court Calendar
D.B.	04/16/1999		2544.4311+	12.0	Court Calendar
N.B.	05/28/2005		2544.4311+	12.0	Court Calendar
E.A.	11/08/2006	519549	2544.4321	5.0	Court Calendar
J.R.	07/20/2001	519544	2544.4321	5.0	Court Calendar
G.R.	06/29/2005	520005	2544.4329	5.0	Court Calendar
S.K.	06/22/2005		2544.4330	1.0	Court Calendar
J.H.	11/15/1999	520018	2544.4335	1.0	Court Calendar
J.H.	05/18/2004	520019	2544.4335	1.0	Court Calendar
J.H.	05/01/1997	520015	2544.4335	1.0	Court Calendar
J.H.	10/14/1994	520012	2544.4335	1.0	Court Calendar
K.O.	08/12/2006	521471	2544.4361+	10.0	Court Calendar
A.A.	09/27/2005	522839	2544.4374	18.0	Court Calendar

# *Non - Compliance Detail Report*

## Disposition Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
K.S.	11/08/1990		2544.4375	4.0	Other: Had to publish on parents
I.M.	02/11/1999		2544.4384	4.0	
M.L.	06/06/1997	524577	2544.4394	9.0	Court Calendar
B.R.	10/21/1989		2544.4407	16.0	Court Calendar
C.B.	03/28/2001		2544.4455	4.0	Court Calendar
D.B.	02/15/2002		2544.4455	4.0	Court Calendar
T.V.	06/04/2006		2544.4465	3.0	Court Calendar
J.B.	05/16/2006	531338	2544.4471	5.0	Court Calendar
D.C.	01/02/1997	532877	2544.4485	12.0	Court Calendar
L.L.	03/26/2007	532874	2544.4485	12.0	Court Calendar
T.C.	11/25/1998	532876	2544.4485	12.0	Court Calendar
C.H.	11/05/2002	532875	2544.4485	12.0	Court Calendar
D.W.	12/29/2003		2544.4490	11.0	Court Calendar
L.S.	04/16/2006		2544.4490	11.0	Court Calendar
M.H.	10/16/1993	438517	2564.0598+	5.0	
K.W.	06/06/1998	438518	2564.0598+	5.0	
A.W.	08/05/2001	438519	2564.0598+	5.0	
M.W.	05/10/2003	438520	2564.0598+	5.0	
K.A.	02/24/2004	508122	2564.0605+	7.0	Court Calendar
A.R.	03/12/1992	171372	2564.0630	3.0	Court Calendar
H.A.	04/22/1994	519923	2564.0636	5.0	Court Calendar

# *Non - Compliance Detail Report*

## *Disposition Hearing*

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
D.B.	06/22/1989	446132	2564.0645	6.0	Court Calendar
J.F.	09/22/2003	516127	2574.0520	11.0	case transferred to 6th
S.R.	08/17/1998	516124	2574.0520	11.0	case transferred to 6th
B.F.	03/22/2000	516125	2574.0520	11.0	case transferred to 6th
K.L.	07/22/2006		2584.0608+	60.0	Court Calendar
N.R.	10/03/1988		2584.0809+	2.0	Court Calendar
B.S.	05/25/1995	503542	2584.0995	12.0	
K.S.	05/19/1997	522001	2584.0995	12.0	
T.S.	02/04/2000	522002	2584.0995	12.0	
D.B.	02/26/1994	522094	2584.0999	3.0	
S.B.	01/02/1993	165795	2584.0999	3.0	Court Calendar
C.K.	06/21/2000		2584.1019	15.0	Court Calendar
L.M.	07/04/2006		2584.1019	15.0	Court Calendar
K.C.	01/13/1991		2584.1019	15.0	Court Calendar
A.C.	08/13/1989	525149	2584.1019	15.0	Court Calendar
L.S.	05/19/1996		2584.1019	15.0	Court Calendar

*Total Cases:* 133

# *Non - Compliance Detail Report*

## *Permanency Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
J.K.	03/26/1995	885637	2503.0211	1.0	
S.M.	11/25/1991		2504.1598	207.0	This was a previous McCully case, Judge Oddone scheduled Perm. Upon receiving the case.
S.L.	02/10/1994		2504.1638	17.0	
J.M.	10/01/1997		2504.1638	17.0	
M.N.	02/03/2004		2504.2360	57.0	extended reunification services
M.T.	02/26/2006		2504.2360	57.0	extended reunification services
J.A.	06/14/1994	978505	2504.3214	727.0	
J.A.	07/12/2006		2504.3288	23.0	
A.C.	01/02/2001		2504.4748+	2.0	
A.S.	06/13/2001		2504.5355+	193.0	reunification services extended
C.S.	07/30/1999		2504.5355+	193.0	reunification services extended
B.S.	06/22/1998		2504.5355+	193.0	reunification services extended
B.C.	10/16/2004		2504.5548+	2.0	Court Calendar
S.J.	04/09/2006		2504.5833+	18.0	Court Calendar
P.K.	03/21/2005		2504.5833+	18.0	Court Calendar
S.P.	11/07/1991		2504.5866+	12.0	Court Calendar
T.K.	01/06/1995		2504.5866+	12.0	Court Calendar
M.K.	05/07/1993		2504.5866+	12.0	Court Calendar
Z.K.	06/02/2001		2504.5866+	12.0	Court Calendar
N.H.	07/18/1990		2504.6648	70.0	child on the run

# *Non - Compliance Detail Report*

## *Permanency Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
M.L.	01/28/1988		2504.6667	15.0	
M.D.	12/25/1989		2504.6678	11.0	
T.N.	09/08/1991		2504.6689	2.0	Court Calendar
A.L.	04/22/1989		2504.6704	20.0	Perm hearing was late due to delinquency issues
J.K.	04/09/2006		2504.6716	16.0	
D.V.	05/27/2000		2504.6769	23.0	father could not be transported
E.V.	07/03/2002		2504.6769	23.0	father could not be transported
L.Z.	01/07/2005		2504.6775+	32.0	
L.Z.	01/07/2005		2504.6775+	32.0	
K.N.	12/04/2001		2504.6800	22.0	Court Calendar
B.N.	06/12/1998		2504.6800	22.0	Court Calendar
T.N.	10/19/2004		2504.6800	22.0	Court Calendar
K.E.	11/30/1989		2504.6810	22.0	
S.P.	05/11/1999		2504.6811	5.0	
G.S.	06/22/1990		2504.6834	113.0	reunification services extended to parents
B.H.	03/18/2003		2504.6839	45.0	
M.H.	08/10/2004		2504.6839	45.0	
M.P.	01/15/1989		2504.6852	34.0	
A.R.	08/01/2004		2504.6891	18.0	Court schedule

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# *Non - Compliance Detail Report*

## *Permanency Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
E.B.	09/13/1992		2504.6896	23.0	Court Calendar
P.W.	10/12/2006		2504.6901	88.0	TPR review
A.A.	10/27/1989		2504.6913	71.0	
A.V.	06/05/2003		2504.6918	45.0	No perm hrg, children adopted. Adoption continued 2X
B.K.	12/22/1998		2504.6918	45.0	No perm, children adopted. Adoption continued 2X
K.G.	01/24/1992		2504.6933	143.0	delinquency matters
S.S.	06/07/2003		2504.6947	1.0	holiday
I.S.	07/08/2001		2504.6947	1.0	holiday
L.V.	05/02/2006		2504.6947	1.0	holiday
M.N.	02/16/2006		2504.6948	8.0	Motion to Continue: Filed By AG
A.M.	05/09/1997		2504.6954	35.0	Other: scheduling transports
S.G.	09/26/2001		2504.6958	118.0	
A.D.	09/25/2000		2504.6961	90.0	Court Calendar
L.D.	02/06/1992		2504.6974	4.0	Court Calendar
R.S.	10/07/1992		2504.6987	10.0	
S.S.	02/28/1995		2504.6987	10.0	
H.R.	07/28/2006		2504.7008	87.0	reunification services had been extended for MO
K.T.	08/09/2006		2504.7031	5.0	Court Calendar
R.T.	02/17/2005		2504.7031	37.0	Court Calendar

*Friday, September 28, 2007*

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# *Non - Compliance Detail Report*

## *Permanency Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
N.A.	12/09/2005		2504.7052	54.0	
K.C.	06/22/2002		2504.7052	54.0	Court Calendar
Z.A.	12/28/2004		2504.7052	54.0	
D.V.	01/15/2003		2504.7060	13.0	Court Calendar
D.H.	11/28/2005		2504.7094	110.0	Court Calendar
D.D.	02/09/2006		2504.7097	7.0	Court Calendar
D.D.	07/21/2004		2504.7097	7.0	Court Calendar
W.E.	06/09/2006		2504.7133	93.0	reunification services were extended
D.E.	02/20/2005		2504.7133	93.0	reunification services were extended
B.M.	03/08/2000		2504.7136	106.0	
C.M.	09/06/2006		2504.7136	106.0	
B.G.	10/06/2006		2504.7153	97.0	
A.L.	05/09/2005		2504.7194	24.0	Court Calendar
F.R.	11/23/2005		2504.7198	41.0	Court Calendar
A.H.	08/22/2006		2504.7200	6.0	Court Calendar
C.M.	08/09/2004		2504.7217	6.0	Court Calendar
S.H.	03/14/2006		2504.7217	6.0	Court Calendar
K.C.	01/29/2004		2504.7226	1.0	Court Calendar
S.P.	06/11/2000		2504.7226	1.0	Court Calendar
K.C.	01/29/2004		2504.7226	1.0	Court Calendar

# *Non - Compliance Detail Report*

## *Permanency Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
A.B.	08/02/1989		2504.7499	123.0	child on the run
J.J.	07/21/1991		2513.0065	225.0	Other: Truancy issues
L.P.	03/07/2004	513575	2514.0739	1.0	Court Calendar
E.N.	02/15/1997	516405	2514.0741	5.0	Court Calendar
B.F.	12/15/2006	521473	2515.0031	24.0	Change of Counsel
J.F.	10/11/2006	518203	2523.0439+	16.0	Defense counsel - motion to continue
C.L.	07/07/1990	982046	2523.0768	1.0	Court Calendar
C.H.	03/03/1992	176164	2524.1879+	182.0	individualized permanency
J.M.	06/11/2001	179091	2524.1943+	231.0	case was transferred to SLC then transferred back to Weber
M.B.	01/04/2003	179092	2524.1943+	231.0	case was transferred to SLC then transferred back to Weber
R.H.	12/13/1990	179387	2524.1965+	47.0	parents relinquished
M.S.	12/30/1990	432263	2524.2207+	141.0	
R.M.	04/11/2006	519420	2524.2477+	4.0	trial to terminate parental rights
C.J.	02/16/2006	505656	2524.2493+	163.0	adoption
I.M.	09/01/2006	517714	2524.2570	31.0	Defense counsel - motion to continue
E.B.	07/29/2001	501094	2524.2588	1.0	
A.B.	08/30/1999	501093	2524.2588	1.0	
D.B.	01/22/2004	503172	2524.2608	10.0	Court Calendar

# *Non - Compliance Detail Report*

## *Permanency Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
H.H.	08/06/2001	504863	2524.2623	89.0	second removal
F.H.	08/06/2001	504862	2524.2623	89.0	2nd removal
B.G.	08/04/1989	440980	2524.2637	1.0	Court Calendar
B.G.	08/04/1989	440979	2524.2637	1.0	Court Calendar
R.C.	12/10/1992	511946	2524.2685	81.0	stipulation by parties
S.C.	10/10/1995	511943	2524.2685	81.0	stipulation by parties
S.C.	07/27/1998	511945	2524.2685	81.0	stipulation by parties
M.O.	06/24/2005	512811	2524.2692	2.0	Court Calendar
B.L.	10/05/2006	517743	2524.2704	38.0	
K.S.	11/19/2006		2524.2942	21.0	transferred and hearing not set
S.S.	03/06/1989	979235	2534.0985+++	326.0	
J.N.	03/29/1994	507963	2534.2383+	75.0	Court Calendar
E.G.	10/09/2002	513014	2534.2755	55.0	
S.G.	05/07/1999	513015	2534.2755	55.0	
B.G.	05/28/2004		2534.2758	17.0	
O.S.	03/02/1990	151535	2544.1290+	20.0	Other:
D.J.	09/01/1990	151867	2544.1422+	1,484.0	
L.C.	05/31/1996	448581	2544.1930	19.0	Court Calendar
A.C.	07/24/1992	448580	2544.1930	19.0	Court Calendar
A.H.	07/02/1989	154615	2544.2010	451.0	Court Calendar- and atty transfer of case

# *Non - Compliance Detail Report*

## Permanency Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
M.C.	03/10/2005	461399	2544.2042	106.0	Other: ?
J.R.	03/17/1991	453243	2544.3005	234.0	3/14/06, 09/26/2006, 10/24/06
A.D.	10/22/2005	473001	2544.4051	7.0	Court Calendar
L.T.	09/01/1998	473126	2544.4051	7.0	Court Calendar
L.D.	10/13/2003	473129	2544.4051	7.0	Court Calendar
N.D.	07/09/2002	473128	2544.4051	7.0	Court Calendar
C.H.	11/30/1994		2544.4057	17.0	Court Calendar
I.D.	07/15/2005	502965	2544.4119	65.0	12/04/06; 1/24/07;
S.M.	08/09/2005	503105	2544.4126+	4.0	Court Calendar
P.M.	08/14/1990	505185	2544.4150	4.0	Court Calendar
T.J.	09/24/1991	470195	2544.4154	88.0	Court Calendar
I.B.	12/09/2001	507838	2544.4170	16.0	Court Calendar
B.B.	12/06/2000	507836	2544.4170	16.0	Court Calendar
D.G.	05/31/1989	996250	2544.4178	6.0	Court Calendar
b.j.	03/31/1989	787459	2544.4186	7.0	Court Calendar
S.M.	01/01/1990	509366	2544.4198	52.0	Court Calendar
K.F.	06/16/2002	514948	2544.4266	15.0	Court Calendar
K.F.	08/20/2003	514949	2544.4266	15.0	Court Calendar
S.C.	06/07/1991	154992	2554.0559++	27.0	Court Calendar
A.B.	11/29/1988	171852	2554.0641+	6.0	Court Calendar

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# *Non - Compliance Detail Report*

## *Permanency Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
B.T.	06/28/1991	160330	2554.0789	13.0	Court Calendar
A.M.	02/07/1990	432932	2554.0807	34.0	Court Calendar
C.U.	05/04/2003	504037	2554.0809+	15.0	Court Calendar
C.P.	04/20/2005	504039	2554.0809+	15.0	Court Calendar
C.C.	06/23/1989	462965	2554.0811	27.0	Court Calendar
R.D.	11/13/1993	502164	2554.0830	4.0	Court Calendar
J.S.	05/15/1988	501884	2554.0831	34.0	Court Calendar-Delinquent
L.J.	11/30/1999	818693	2554.0834	6.0	Family Fled the Area
J.V.	05/11/1994	511730	2554.0834	6.0	Family Fled the Area
S.T.	12/01/1994	500780	2564.0573	11.0	Court Calendar
S.T.	08/25/1995	500781	2564.0573	11.0	Court Calendar
C.D.	08/14/1993	988762	2564.0583	6.0	Court Calendar
B.C.	01/13/1991	503449	2564.0589	26.0	Court Calendar
R.R.	05/19/1997	502905	2574.0484	4.0	Court Calendar
G.M.	10/26/1999		2584.0890	2.0	Court Calendar; 12/6/06
D.S.	09/09/2004		2584.0890	2.0	Court Calendar; 12/6/06
B.B.	12/22/2005		2584.0898	3.0	Court Calendar
B.C.	03/30/2005		2584.0902	9.0	Court Calendar; 2/22/07
S.H.	03/01/1991	178893	2584.0929	10.0	Court Calendar

# *Non - Compliance Detail Report*

## *Permanency Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
Z.H.	03/28/1993	178894	2584.0929	10.0	Court Calendar
S.S.	05/15/1994		2584.0943	26.0	Court Calendar
K.S.	03/25/2002		2584.0943	26.0	Court Calendar
S.V.	07/23/2003	504561	2584.0956	114.0	Other:
J.F.	07/24/1995	514642	2584.0957	50.0	Court Calendar
M.N.	04/24/2004		2584.0957	50.0	Court Calendar
G.N.	01/05/2000		2584.0957	50.0	Court Calendar
A.H.	03/06/1990	156540	2584.0959	1.0	Motion to Continue: Filed By: GAL
B.B.	02/19/1990	898454	2594.0116	373.0	Delinq. Case
T.O.	01/22/1990	148284	2594.0537	111.0	Delinquency, Court continued from 3/20/07
M.M.	06/21/1991	438425	2594.0616	149.0	Delinq.
T.M.	04/18/1989	464087	2594.0616	149.0	Delinq.-No Permanency Hearing
R.L.	05/10/1991		2594.0669	188.0	Other:
J.H.	02/29/2000	474771	2594.0701	85.0	Agreement of Court & Parties
T.S.	12/05/1990	474766	2594.0701	85.0	Agreement of Court & Parties
A.S.	03/10/1995	474768	2594.0701	85.0	Agreement of Court & Parties
D.M.	08/25/1992	145636	2594.0707	180.0	
J.M.	11/21/1991	474289	2594.0709	180.0	Other:
J.T.	07/28/1990	463773	2594.0710	160.0	Other:
C.K.	08/05/1988	431780	2594.0711	91.0	

# *Non - Compliance Detail Report*

## *Permanency Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
R.G.	06/24/1989	430661	2594.0716	20.0	Court Calendar
K.I.	11/22/1988	468482	2594.0737	48.0	Court Calendar/Counsel calendar
A.D.	11/05/1990	451807	2594.0739	27.0	DELINQUENCY CASE
S.B.	09/24/1993	506873	2594.0741	69.0	Continued from 5/31/07 at request of parties

*Total Cases: 129*

# *Non - Compliance Detail Report*

## Termination Hearing

From: 10/01/2006 To: 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
J.A.	07/12/2006		2504.3288	18.0	
E.C.	07/24/2005		2504.4135	367.0	
L.M.	08/05/2006		2504.5498	16.0	
B.C.	10/16/2004		2504.5548+	6.0	Court Calendar
J.M.	08/04/2005		2504.5876+	98.0	
P.W.	06/28/1993		2504.6109	272.0	Custody had been with grandma
A.W.	11/08/1998		2504.6109	272.0	Custody had been with grandma
S.V.	03/08/2003		2504.6109	272.0	Custody had been with grandma
A.B.	07/16/1999		2504.6624	134.0	
A.B.	11/01/2000		2504.6624	134.0	
D.T.	12/28/2005		2504.6624	134.0	
E.M.	12/18/2001		2504.6805	23.0	
A.M.	05/02/2005		2504.6805	23.0	
J.M.	11/26/2002		2504.6805	23.0	
D.M.	07/08/2004		2504.6805	23.0	
C.B.	05/26/1994		2504.6912	180.0	
B.B.	05/29/1993		2504.6912	180.0	
S.M.	03/07/2005		2504.6912	93.0	
I.M.	07/18/2001		2504.6912	93.0	
C.B.	03/01/1996		2504.6912	180.0	
S.N.	05/13/2006		2504.6970	360.0	Court Calendar
A.H.	10/07/1991		2504.6975	11.0	Unable to Locate

# *Non - Compliance Detail Report*

## Termination Hearing

From: 10/01/2006 To: 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
B.L.	03/31/2000		2504.6975	11.0	Unable to Locate
K.B.	07/16/1993		2504.6975	11.0	Unable to Locate
M.S.	08/16/2002		2504.6989	4.0	
T.S.	05/13/2006		2504.6989	4.0	Court Calendar
J.H.	09/08/2005		2504.7020	97.0	Unable to Locate
B.G.	08/19/2006		2504.7020	94.0	
N.R.	06/25/2005		2504.7048	9.0	
Z.A.	12/28/2004		2504.7052	16.0	
N.A.	12/09/2005		2504.7052	16.0	
I.F.	06/06/2003		2504.7069	53.0	
I.F.	06/06/2003		2504.7069	53.0	
J.F.	08/10/2000		2504.7069	53.0	
A.F.	10/23/1996		2504.7069	53.0	
M.B.	10/16/1991		2504.7069	53.0	
K.P.	11/25/2003	502471	2504.7103	102.0	
J.P.	09/02/1997	137420	2504.7103	102.0	
B.P.	10/18/1995	137419	2504.7103	102.0	
A.P.	03/25/1994	137418	2504.7103	102.0	
A.M.	09/17/2005		2504.7111	4.0	Other:
D.C.	06/05/2006		2504.7113	81.0	Other: continued reunification attempts
A.H.	08/22/2006		2504.7200	18.0	Court Calendar
T.S.	12/25/2002		2504.7211	18.0	

# *Non - Compliance Detail Report*

## Termination Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
H.S.	12/09/2006		2504.7211	18.0	
L.S.	03/07/2004		2504.7211	18.0	
I.L.	07/23/2001		2504.7288	13.0	
A.M.	04/15/2007		2504.7376	11.0	Court Calendar
J.D.	07/13/1998	980063	2524.1100+++	11.0	appeal
S.L.	11/20/1991	136519	2524.1363++	39.0	extended reunification
A.F.	06/07/2006	516485	2524.1363++	39.0	extended reunification
T.T.	11/08/1992	176638	2524.2093	718.0	
K.T.	11/27/1989	433135	2524.2093	718.0	
E.B.	07/29/2001	501094	2524.2588	102.0	mother left the state
A.B.	08/30/1999	501093	2524.2588	102.0	mother left the state
N.M.	11/07/2005	802864	2524.2606	44.0	mo unable to locate
R.H.	09/20/2005	506686	2524.2631	32.0	extended reunification
R.R.	10/21/2000	506684	2524.2631	32.0	extended reunification
K.Y.	03/02/2000	508049	2524.2638	207.0	extended reunification
J.C.	01/13/2006	505051	2524.2638	207.0	extended reunification
F.C.	11/25/2003		2524.2638	207.0	extended reunification
A.T.	08/27/1993	506572	2534.2707	14.0	
A.L.	10/10/2001	508785	2534.2725	24.0	
A.F.	10/19/1997	508783	2534.2725	24.0	
A.L.	11/28/2004	508788	2534.2725	24.0	

# *Non - Compliance Detail Report*

## *Termination Hearing*

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
K.H.	01/02/2006	502095	2544.1835	725.0	Other:
W.S.	04/21/2005	463031	2544.3034+	348.0	
A.W.	12/18/1996	464282	2544.3038	47.0	to be filed by GAL
M.W.	05/11/1998	464283	2544.3038	47.0	To be filed by GAL
K.T.	06/30/2001	464284	2544.3038	47.0	To be filed by GAL
E.L.	03/03/2003	464285	2544.3038	47.0	to be filed by GAL
A.J.	04/21/2005	468299	2544.3083	80.0	Other:
E.L.	08/21/2003	468478	2544.3085	90.0	reunif contined
L.A.	11/08/2001	468477	2544.3085	90.0	reunif contined
R.L.	07/14/2005	468479	2544.3085	90.0	reunif contined
K.W.	06/29/1995	951097	2544.4085	145.0	
T.F.	11/03/1997	951099	2544.4085	145.0	
A.B.	10/03/2003		2544.4105	202.0	Other:reunification extended
A.B.	05/02/2001	502085	2544.4105	202.0	Other:reunification extended
D.T.	07/02/2003	509801	2544.4203	66.0	SERVICES EXTENDED
T.O.	10/30/2006	518870	2544.4314	1.0	Other: Not done
R.J.	07/08/2006		2544.4357	33.0	Other: reunification extended
J.S.	06/21/2004	510647	2554.0828	9.0	AAG's Schedule
I.W.	05/25/2005	510553	2554.0829	2.0	
V.D.	11/09/2000	510555	2554.0829	2.0	
J.D.	03/24/1999	970560	2554.0829	2.0	

# *Non - Compliance Detail Report*

## Termination Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
D.H.	11/08/2005	502595	2564.0581+	9.0	Court cont. reunification to parents
G.W.	09/23/1999	516366	2584.0962	76.0	Unable to Serve
A.A.	06/01/2004	519831	2584.0983	2.0	Court Calendar
E.A.	05/28/2005		2584.0983	2.0	Other: Is in compliance - 9/8 was a weekend
D.A.	06/17/2006		2584.0983	2.0	Other: Is in compliance - 9/8 was a weekend

*Total Cases:* 47

# *Non - Compliance Detail Report*

## Termination Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non- compliance</i>
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*Total Cases:* 564

# *PSS Non - Compliance Detail Report*

## *PSS Pre-Trial Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
R.D.	01/05/2007		2504.7049	5.0	
F.U.	05/16/2004		2504.7256	1.0	Court Calendar
A.M.	10/16/1997		2504.7336	1.0	Court Calendar
D.T.	05/31/1999		2504.7336	1.0	Court Calendar
M.M.	10/26/2000		2504.7336	1.0	Court Calendar
V.M.	06/19/2004		2504.7336	1.0	Court Calendar
D.R.	05/07/2006		2504.7336	1.0	Court Calendar
M.F.	09/12/1998	457972	2504.7384	3.0	Court Calendar
B.F.	10/19/2001	457973	2504.7384	3.0	Court Calendar
C.F.	07/24/2005	525699	2504.7384	3.0	Court Calendar
A.S.	10/27/1994		2504.7427	3.0	Court Calendar
D.S.	10/06/1999		2504.7427	3.0	Court Calendar
K.P.	01/15/2003		2504.7470	1.0	Court Calendar
I.P.	05/15/1998		2504.7470	1.0	Court Calendar
S.P.	05/23/2001		2504.7470	1.0	Court Calendar
K.U.	03/07/2000	515260	2514.0740+	27.0	Motion to Continue: Filed By Mother's Atty
J.M.	09/26/1992	508732	2514.0740+	27.0	Motion to Continue: Filed By Mother's Atty
K.U.	07/15/1995	515258	2514.0740+	27.0	Motion to Continue: Filed By Mother's Atty
M.L.	01/20/1995	520014	2514.0751	42.0	Court Calendar
K.L.	05/16/1993	520011	2514.0751	42.0	Court Calendar
M.L.	05/04/1999	520017	2514.0751	42.0	Court Calendar
Z.C.	08/23/1997	526374	2514.0762	2.0	Court Calendar
C.B.	04/23/1999	526375	2514.0762	2.0	Court Calendar

# *PSS Non - Compliance Detail Report*

## *PSS Pre-Trial Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
S.B.	02/20/2002	526376	2514.0762	2.0	Court Calendar
D.D.	03/17/1998	527609	2515.0061	7.0	ch relative of ct clerk-change jurisdiction to another ct so late pt
R.M.	04/29/1992		2523.0691	13.0	Court Calendar
C.M.	05/19/1993		2523.0691	13.0	Court Calendar
T.M.	01/30/1996		2523.0691	13.0	Court Calendar
J.B.	03/07/1995	978362	2524.1080++	40.0	addressed other child first
A.G.	10/27/1990	844286	2524.1247	7.0	private petition
K.G.	11/25/1992	844287	2524.1247	7.0	private petition
R.C.	09/12/2006		2524.2576	27.0	Court Calendar
K.B.	01/04/2001		2524.2838	8.0	Court Calendar
A.B.	03/19/2005		2524.2838	8.0	Court Calendar
S.S.	10/09/2000	167542	2534.2045+	19.0	Court Calendar
J.S.	12/23/1991	167643	2534.2045+	19.0	Court Calendar
M.S.	02/23/1998	167540	2534.2045+	19.0	Court Calendar
R.S.	04/12/1995	167539	2534.2045+	19.0	Court Calendar
A.S.	01/27/1989	167538	2534.2045+	19.0	Court Calendar
A.A.	02/19/1999	533543	2534.2523+	3.0	Court Calendar
K.B.	07/19/2001	533544	2534.2523+	3.0	Court Calendar
S.B.	10/07/2003	533546	2534.2523+	3.0	Court Calendar
A.B.	11/02/2005	533547	2534.2523+	3.0	Court Calendar
R.V.	04/24/1997	462584	2534.2523+	3.0	Court Calendar
D.L.	07/22/1995	504834	2534.2712	12.0	Court Calendar

# *PSS Non - Compliance Detail Report*

## *PSS Pre-Trial Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
C.M.	10/11/2003	524782	2534.2712	12.0	Court Calendar
W.H.	11/23/1997	524777	2534.2712	12.0	Court Calendar
D.H.	09/15/2001	524780	2534.2712	12.0	Court Calendar
M.M.	06/12/2007	533856	2534.2779	2.0	Court Calendar
M.B.	03/05/1991	464416	2534.2813	4.0	Court Calendar
M.A.	06/20/1997	521855	2534.2813	4.0	Court Calendar
M.A.	03/02/1995	521859	2534.2813	4.0	Court Calendar
A.M.	12/16/1999	522986	2534.2818	6.0	Court Calendar
A.F.	09/19/2001	522988	2534.2818	6.0	Court Calendar
B.T.	12/04/2006	522990	2534.2818	6.0	Court Calendar
J.B.	05/21/1991	509239	2534.2823	13.0	Other: To allow time for mediation
J.B.	03/24/1995	523875	2534.2823	13.0	Other: To allow time for mediation
J.B.	03/06/1998	523876	2534.2823	13.0	Other: To allow time for mediation
B.T.	06/19/2004	524250	2534.2829	2.0	Court Calendar
C.T.	01/30/2003	524251	2534.2829	2.0	Court Calendar
D.H.	09/11/2006	525417	2534.2843	2.0	Court Calendar
C.C.	11/24/1993	526093	2534.2845	6.0	Court Calendar
E.C.	04/02/1995	526095	2534.2845	6.0	Court Calendar
O.C.	06/02/2006	525484	2534.2852	11.0	Other: To allow time for mediation
H.A.	05/30/1996	527942	2534.2872	11.0	Court Calendar
D.A.	10/28/1999	527943	2534.2872	11.0	Court Calendar
H.A.	06/10/2003	527944	2534.2872	11.0	Court Calendar
J.A.	10/10/2005	527945	2534.2872	11.0	Court Calendar

# *PSS Non - Compliance Detail Report*

## *PSS Pre-Trial Hearing*

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
J.W.	05/25/2005	528900	2534.2873	7.0	Court Calendar
J.W.	12/13/2006	528903	2534.2873	7.0	Court Calendar
J.H.	01/25/1999		2534.2875	7.0	Court Calendar
C.C.	03/05/2005		2534.2875	7.0	Court Calendar
M.J.	08/10/1989	930031	2534.2901	2.0	Court Calendar
M.J.	01/26/1994	930043	2534.2901	2.0	Court Calendar
T.J.	10/20/1992	528610	2534.2902	3.0	Court Calendar
T.J.	05/30/1996	534124	2534.2902	3.0	Court Calendar
T.J.	04/12/1990	528611	2534.2902	3.0	Court Calendar
T.J.	08/07/2001	534125	2534.2902	3.0	Court Calendar
B.R.			2534.2904	6.0	pet filed by atty Lewis Adams - & other
J.H.	03/25/1999	533601	2534.2911	5.0	Court Calendar
J.H.	03/04/2002	533600	2534.2911	5.0	Court Calendar
L.	02/15/2002	533603	2534.2912	12.0	Court Calendar
S.L.	12/22/2002	533606	2534.2912	12.0	Court Calendar
S.L.	06/11/2000	533607	2534.2912	12.0	Court Calendar
L.L.	08/12/1999	533602	2534.2912	12.0	Court Calendar
S.L.	04/14/2006	533609	2534.2912	12.0	Court Calendar
A.T.	09/05/1998	533271	2534.2913	7.0	Court Calendar
A.T.	01/08/2007	533265	2534.2913	7.0	Court Calendar
K.T.	06/14/2002	533266	2534.2913	7.0	Court Calendar
K.T.	12/22/2004	533267	2534.2913	7.0	Court Calendar
A.T.	11/08/1999	533270	2534.2913	7.0	Court Calendar

# *PSS Non - Compliance Detail Report*

## PSS Pre-Trial Hearing

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
R.S.	04/05/2005	533365	2534.2914	6.0	Court Calendar
K.S.	12/15/2003	533364	2534.2914	6.0	Court Calendar
J.S.	11/14/2001	533362	2534.2914	6.0	Court Calendar
T.J.	06/18/1991		2534.2923	7.0	Court Calendar
M.C.	06/10/1990	535648	2534.2929	4.0	Court Calendar
W.C.	12/19/1992	521245	2534.2929	4.0	Court Calendar
J.C.	01/06/1995	535649	2534.2929	4.0	Court Calendar
M.C.	02/25/1997	535650	2534.2929	4.0	Court Calendar
L.Y.	09/13/1992		2544.0400+	25.0	court Calendar; second PT: 07/19/2007; third PT: 09/13/2007
D.Y.	05/08/1995	129292	2544.0400+	25.0	court Calendar; second PT: 07/19/2007; third PT: 09/13/2007
A.D.	09/17/2002		2544.0400+	25.0	court Calendar; second PT: 07/19/2007; third PT: 09/13/2007
M.D.	11/17/2006		2544.0400+	25.0	court Calendar; second PT: 07/19/2007; third PT: 09/13/2007
J.C.	02/04/1999		2544.1076++	19.0	Court Calendar
E.S.	03/15/1999	150863	2544.1288+	2.0	Counsel Unavailable, 11/6/06
R.J.	09/04/2003	440055	2544.1830+	7.0	Court Calendar
A.J.	09/02/2004	454819	2544.1830+	7.0	Court Calendar
S.J.	05/11/2002	440051	2544.1830+	7.0	Court Calendar
N.A.	06/07/1989	518267	2544.4278	8.0	Court Calendar, 12/01/06
H.R.	03/15/2000		2544.4287	1.0	Court Calendar
M.G.	08/31/2001		2544.4287	1.0	Court Calendar
S.G.	06/23/2002		2544.4287	1.0	Court Calendar

# *PSS Non - Compliance Detail Report*

## PSS Pre-Trial Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
C.P.	09/21/1994	518264	2544.4294	18.0	Court Calendar
R.C.	12/18/2001	518272	2544.4299	8.0	Court Calendar
A.L.	09/06/2006	520203	2544.4308	7.0	Court Calendar, 1/8/07
I.K.	02/12/2002	519622	2544.4312	2.0	
C.O.	02/11/1991	474153	2544.4313	2.0	Court Calendar second PT 12/14/2006
S.O.	02/04/1992	519642	2544.4313	2.0	Court Calendar second PT 12/14/2006
C.O.	06/19/1998	519645	2544.4313	2.0	Court Calendar second PT 12/14/2006
D.L.	02/05/2003	521356	2544.4343	20.0	Court Calendar
G.N.	04/25/1995	522540	2544.4348	8.0	Court Calendar
F.N.	07/24/1997	522541	2544.4348	8.0	Court Calendar
B.N.	04/06/1992	522539	2544.4348	8.0	Court Calendar
F.M.	11/16/1990		2544.4353	10.0	Court Calendar, 3/27/07
J.M.	11/20/1989		2544.4353	10.0	Court Calendar, 3/27/07
R.M.	12/06/1994		2544.4353	10.0	Court Calendar, 3/27/07
O.M.	05/10/2000		2544.4353	10.0	Court Calendar, 3/27/07
E.M.	11/24/2004		2544.4353	10.0	Court Calendar, 3/27/07
M.A.	06/18/1996		2544.4412	13.0	Court Calendar, 5/24/07
E.A.	10/06/2000		2544.4412	13.0	Court Calendar, 5/24/07
J.R.	09/04/2006	532246	2544.4414	2.0	Court Calendar, 5/15/07
E.D.	09/02/2004		2544.4418	5.0	Court Calendar; 5/10/07, 7/25/07
A.F.	02/13/2007	527972	2544.4432	7.0	Motion to Continue; Filed By parent's atty

# *PSS Non - Compliance Detail Report*

## *PSS Pre-Trial Hearing*

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
J.H.	11/06/2001	530211	2544.4440	15.0	Court Calendar
B.H.	04/03/1993	530210	2544.4440	15.0	Court Calendar
K.P.	04/11/2006		2544.4463	11.0	Court Calendar
A.M.	06/17/1994		2544.4509	6.0	Court Calendar, 10/1/07
A.S.	02/17/2003		2544.4509	6.0	Court Calendar; 10/1/07
I.R.	09/27/2005	535860	2544.4521	6.0	Court Calendar
T.C.	02/05/2006		2544.4529	4.0	Court Calendar
T.W.	01/16/2002		2544.4532	20.0	Motion to Continue: Filed By GP counsel
J.A.	08/18/2007		2544.4536	2.0	Court Calendar
C.H.	02/27/2002	532305	2554.0378	15.0	Court Calendar
B.H.	04/04/1999	970582	2554.0378	15.0	Court Calendar
A.S.	06/22/1991		2554.0861	15.0	Parents not Served for 2/7/07
A.S.	07/18/1996	524072	2554.0861	15.0	Parents not Served for 2/7/07
S.S.	12/31/1996	524074	2554.0861	15.0	Parents not Served for 2/7/07
C.S.	08/05/1994	170627	2574.0343++	62.0	Court Calendar
L.N.	07/02/2001	522278	2574.0531	7.0	Court Calendar
S.A.	08/11/1992	523155	2574.0534	6.0	Court Calendar
H.B.	04/06/2000	526779	2574.0544	14.0	Court Calendar
I.B.	03/20/2002	526780	2574.0544	14.0	Court Calendar
T.B.	08/08/2006	526781	2574.0544	14.0	Court Calendar
D.B.	08/08/2006	526782	2574.0544	14.0	Court Calendar

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# *PSS Non - Compliance Detail Report*

## PSS Pre-Trial Hearing

From: 10/01/2006 To: 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
E.B.	06/02/1997	526777	2574.0544	14.0	Court Calendar
K.H.	06/22/2001	528024	2574.0546	14.0	
K.H.	08/07/2004	528025	2574.0546	14.0	
J.S.	01/15/2002	433839	2584.0597+	2.0	Court Calendar
J.S.	02/15/1997	433838	2584.0597+	2.0	Court Calendar
A.F.	09/29/2006	518885	2584.0905	1.0	Court Calendar
T.B.	12/02/2005	534534	2584.1075	15.0	
J.B.	01/10/2004	534533	2584.1075	15.0	
D.P.	05/25/2000	534532	2584.1075	15.0	
C.S.	01/03/2001	534874	2584.1082	13.0	Court Calendar
J.S.	12/06/2003	534876	2584.1082	13.0	Court Calendar
E.M.	03/10/2003		2584.1091	4.0	Court Calendar
E.G.	01/09/1992	474414	2594.0700+	2.0	Counsel Unavailable
D.S.	04/14/1995		2594.0750	8.0	Defense Counsel Unavailable
T.F.	12/03/2003		2594.0750	8.0	Defense Counsel Unavailable
C.T.	02/14/2006		2594.0759	2.0	
K.T.	09/19/2003		2594.0759	2.0	
K.H.	07/17/2000		2594.0759	2.0	
L.L.	10/16/1998		2594.0776	6.0	Other: Continued from 3/27 by Court at Court
A.L.	02/14/1996		2594.0776	6.0	Other: Continued from 3/27 by Court at Court
J.B.	12/07/2001	528016	2594.0780	9.0	Other: If not settled at mediation

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# *PSS Non - Compliance Detail Report*

## *PSS Pre-Trial Hearing*

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
S.B.	04/14/2000	528020	2594.0780	9.0	Other: If not settled at mediation
S.B.	12/12/1989	461966	2594.0781	2.0	Court Calendar
S.B.	12/04/1994	528545	2594.0781	2.0	Court Calendar
N.Y.	07/22/1990	521129	2594.0782	6.0	Other: Court continued from 5/3/07
W.B.	12/12/2003	530260	2594.0787	5.0	Court Calendar
S.B.	08/14/1998	530257	2594.0787	5.0	Court Calendar
K.B.	09/29/2001	530259	2594.0787	5.0	Court Calendar

*Total Cases:* 83

# *PSS Non - Compliance Detail Report*

## *PSS Adjudication Hearing*

*From: 10/01/2006 To: 09/26/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
M.W.	06/06/2007		2504.7094	13.0	
H.G.	03/30/2003		2504.7225	2.0	
D.M.	09/11/2002		2504.7262	3.0	
J.L.	04/08/1992	971869	2514.0289	2.0	
C.L.	09/16/1996	971871	2514.0289	2.0	
R.B.	07/14/1991	521276	2514.0752	51.0	
L.E.	04/17/1998	523667	2514.0753	20.0	
V.E.	04/14/2003	523674	2514.0753	20.0	
J.E.	01/01/2000	523668	2514.0753	20.0	
T.E.	06/21/2001	523672	2514.0753	20.0	
A.G.	10/27/1990	844286	2524.1247	30.0	private petition
K.G.	11/25/1992	844287	2524.1247	30.0	private petition
A.B.	03/19/2005		2524.2838	5.0	Court Calendar
K.B.	01/04/2001		2524.2838	5.0	Court Calendar
J.C.	09/14/2000	517597	2534.2787	107.0	
K.R.	01/06/2003	531834	2534.2898	12.0	
Y.R.	05/05/1998	531833	2534.2898	12.0	
W.S.	08/18/1997	533009	2534.2909	13.0	
Z.S.	05/11/1996	533011	2534.2909	13.0	
J.F.	01/18/2003	533008	2534.2909	13.0	
A.B.	08/22/1996		2544.0327+	53.0	8/22/07

# *PSS Non - Compliance Detail Report*

## PSS Adjudication Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
T.M.	12/02/1995		2544.4380	27.0	3/19/07
C.M.	10/10/1997		2544.4380	27.0	3/19/07
K.E.	11/26/2006		2544.4403	58.0	4/2/07, 5/25/07
K.P.	08/13/2003		2544.4403	58.0	4/2/07, 5/25/07
E.D.	09/02/2004		2544.4418	100.0	Court Calendar; 5/10/07, 7/25/07
A.F.	02/13/2007	527972	2544.4432	58.0	Motion to Continue: Filed By parent's atty
L.W.	04/20/2004	528275	2544.4433	7.0	4/26/07
K.W.	02/07/2003	528273	2544.4433	7.0	4/26/07
S.G.	06/11/2002		2544.4437	32.0	5/1/07, 6/21/07
I.G.	07/21/2004		2544.4437	32.0	5/1/07, 6/21/07
E.G.	03/17/2000		2544.4437	32.0	5/1/07, 6/21/07
S.G.	07/14/1998		2544.4437	32.0	5/1/07, 6/21/07
R.G.	03/02/1996		2544.4437	32.0	5/1/07, 6/21/07
M.G.	07/17/1993		2544.4437	32.0	5/1/07, 6/21/07
R.G.	06/13/2006		2544.4437	32.0	5/1/07, 6/21/07
T.B.	02/14/1997	532890	2544.4491	23.0	8/6/07; 9/20/07
B.B.	03/16/1998	532891	2544.4491	23.0	8/6/07; 9/20/07
E.B.	12/19/1995	532889	2544.4491	23.0	8/6/07; 9/20/07
C.B.	02/26/1995	532886	2544.4491	23.0	8/6/07; 9/20/07
J.B.	12/16/2002	532893	2544.4491	23.0	8/6/07; 9/20/07
S.S.	12/31/1996	524074	2554.0861	3.0	Parents not Served for 2/7/07
A.S.	07/18/1996	524072	2554.0861	3.0	Parents not Served for 2/7/07
A.S.	06/22/1991		2554.0861	3.0	Parents not Served for 2/7/07

# *PSS Non - Compliance Detail Report*

## PSS Adjudication Hearing

*From: 10/01/2006 To: 09/28/2007*

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non-compliance</i>
C.C.	05/22/1999	528832	2554.0878	14.0	
Z.C.	10/16/1995	528830	2554.0878	14.0	
T.C.	09/20/1993	528824	2554.0878	14.0	
N.C.	03/25/2000	528833	2554.0878	14.0	
A.H.	06/28/2001	473110	2564.0569	30.0	
R.H.	10/01/2003	473111	2564.0569	30.0	
K.F.	04/04/2004	524399	2564.0651	2.0	
T.P.	09/29/1993	524400	2564.0651	2.0	
M.P.	10/20/1998	524401	2564.0651	2.0	
B.F.	12/30/2002	524395	2564.0651	2.0	
K.F.	04/04/2004	524398	2564.0651	2.0	
S.P.	04/20/1997	525346	2564.0653	5.0	
C.P.	01/01/2000	525347	2564.0653	5.0	
C.P.	11/25/1991	525344	2564.0653	5.0	
C.S.	08/05/1994	170627	2574.0343++	17.0	Court Calendar
E.G.	01/09/1992	474414	2594.0700+	13.0	Counsel Unavailable
J.M.	03/19/2002	518004	2594.0754	7.0	
J.M.	03/19/2002	518007	2594.0754	7.0	
A.B.	07/22/1997		2594.0756	24.0	
S.B.	08/14/1998	530257	2594.0787	47.0	Court Calendar
W.B.	12/12/2003	530260	2594.0787	47.0	Court Calendar
K.B.	09/29/2001	530259	2594.0787	47.0	Court Calendar

*Total Cases: 38*

# *PSS Non - Compliance Detail Report*

## PSS Adjudication Hearing

*From:* 10/01/2006 *To:* 09/28/2007

<i>Case Name</i>	<i>DOB</i>	<i>Court Case Number</i>	<i>Billing Number</i>	<i>Days out of Compliance</i>	<i>Reason for non- compliance</i>
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*Total Cases:* 121